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DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 457

[Docket No. FCIC–13–0001]

RIN 0563–AC24

Common Crop Insurance Regulations; Forage Seed Crop Provisions; Correction

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule; correcting amendment.

SUMMARY: This document contains a correction to the final regulation that was published Thursday, May 29, 2014 (79 FR 30703–30708). The regulation pertains to the insurance of Forage Seed.

DATES: *Effective Date:* June 30, 2014.

FOR FURTHER INFORMATION CONTACT: Tim Hoffmann, Director, Product Administration and Standards Division, Risk Management Agency, United States Department of Agriculture, Beacon Facility, Stop 0812, Room 421, P.O. Box 419205, Kansas City, MO 64141–6205, telephone (816) 926–7730.

SUPPLEMENTARY INFORMATION:

Background

The final regulation that is the subject of this correction added new Forage Seed Insurance Provisions that published on Thursday, May 29, 2014 (79 FR 30703–30708).

Need for Correction

As published, the final regulation contained clerical errors that may prove to be misleading and need to be clarified. In section 3(a), the word "ensure" was printed after the phrase "You may elect only one percentage of base price and one coverage level for each forage seed crop you elect to" rather than the word "insure". In section 6(a)(1), a comma was inadvertently printed at the end of the paragraph. In section 8(a)(2) a comma was omitted between the phrase "For spring planted seed-to-seed year stands of forage seed crops" and the word "coverage."

List of Subjects in 7 CFR Part 457

Crop insurance, Forage seed, Reporting and recordkeeping requirements, Correction of publication.

Accordingly, 7 CFR part 457 is corrected by making the following correcting amendment:

PART 457—COMMON CROP INSURANCE REGULATIONS

■ 1. The authority citation for 7 CFR Part 457 continues to read as follows:

Authority: 7 U.S.C. 1506(l), 1506(o).

§ 457.174 [Amended]

■ 2. Amend § 457.174 as follows:
■ a. In section 3(a) by removing the word "ensure" and adding the word "insure" in its place;
■ b. In section 6(a)(1) by removing the comma at the end of the paragraph; and
■ c. In section 8(a)(2) by adding a comma between the words "crops" and "coverage".

Signed in Washington, DC, on June 17, 2014.

Michael Alston,

Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 2014–14625 Filed 6–23–14; 8:45 am]

BILLING CODE 3410–08–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2014–0429]

Special Local Regulations; Marine Events in the Seventh Coast Guard District

AGENCY: Coast Guard, DHS.

ACTION: Notice of Enforcement of Regulation.

SUMMARY: The Coast Guard will enforce the special local regulations for two events, the Patriots Point Fireworks and the City of North Charleston Fireworks, from 8:15 p.m. through 10:15 p.m. on July 4, 2014. This action is necessary to ensure safety of life on navigable waters of the United States during the Fourth of July fireworks displays. During the enforcement period, and in accordance with previously issued special local regulations, vessels may not enter, transit through, anchor in, or remain within the designated area unless authorized by the Captain of the Port Charleston designated representatives.

DATES: The regulations in 33 CFR 100.701, Table 1, COTP Zone Charleston, will be enforced from 8:15 p.m. through 10:15 p.m. July 4, 2014.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email CWO Christopher Ruleman, Sector Charleston Office of Waterways Management, Coast Guard; telephone 843–740–3184, email *christopher.l.ruleman@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations for two events, the Patriots Point Fireworks and the City of North Charleston Fireworks, from 8:15 p.m. through 10:15 p.m. on July 4, 2014. The special local regulations for the events can be found at 33 CFR 100.701 in the COTP Zone Charleston section of Table 1.

On July 4, 2014, the Patriots Point Naval Maritime Museum is sponsoring the Patriots Point Firework on Charleston Harbor, South Carolina, and the City of North Charleston is sponsoring the City of North Charleston Fireworks on Charleston Harbor, South Carolina.

Under the provisions of 33 CFR 100.701, all persons and vessels are prohibited from entering the regulated areas unless permission to enter has been granted by the Captain of the Port Charleston. This notice of enforcement is to provide notice of regulated areas that will encompass portions of the navigable waterways. Spectator vessels may safely transit outside the regulated areas, but may not anchor, block, loiter in, or impede the transit of official patrol vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing these regulations.

This notice is issued under authority of 33 CFR 100.701 and 5 U.S.C. 552(a). The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners,

and on-scene designated representatives. If the COTP Charleston determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: June 8, 2014.

R. R. Rodriguez,

Captain, U.S. Coast Guard, Captain of the Port Charleston.

[FR Doc. 2014–14706 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–1021]

RIN 1625–AA09

Drawbridge Operation Regulation; Isle of Wight (Sinepuxent) Bay, Ocean City, MD

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is modifying the operating schedule that governs the US 50 Bridge, over Isle of Wight (Sinepuxent) Bay, mile 0.5, Ocean City, MD. This rule changes the language of the regulation to reflect new closure times to accommodate heavy volumes of vehicular traffic following the annual July 4th fireworks show.

DATES: This rule is effective on June 24, 2014.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2013–1021. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this final rule, call or email Mrs. Traci Whitfield, Bridge Management Assistant, Coast Guard, telephone (757) 398–6629, email *Traci.G.Whitfield@uscg.mil*. If you have questions on reviewing the docket, call Cheryl Collins, Program Manager, Docket Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
U.S.C. United States Code

A. Regulatory History and Information

On April 1, 2014, we published a notice of proposed rulemaking (NPRM) entitled, "Drawbridge Operation Regulation; Isle of Wight (Sinepuxent) Bay, Ocean City, MD" in the **Federal Register** (79 FR 18243). The Coast Guard received no comments on the proposed rule. No public meeting was requested, and none was held.

Under 5 U.S.C. 533(d)(3), the Coast Guard finds that good cause exists for making this rule effective in less than 30 days after publication in the **Federal Register**. A 30-day delayed effective date is impracticable and contrary to the public interest. Since there were no objections to this rule during notice and comment and to accommodate the approaching fireworks show scheduled on July 4, 2014, which includes heavy volumes of vehicular traffic following the show, it would be impracticable and contrary to public interest to delay the effective date.

B. Basis and Purpose

The US 50 Bridge is a single-leaf bascule bridge with a vertical clearance of approximately 13 feet above mean high water in the closed position and unlimited in the open position.

The Ocean City Police Department, on behalf of the Maryland Department of Transportation, requested to change the current operating regulation for the US 50 Bridge across Isle of Wight (Sinepuxent) Bay, mile 0.5, at Ocean City, MD to accommodate the annual Ocean City July 4th fireworks show and the heavy volumes of vehicular traffic that transit across the drawbridge. The Ocean City Police Department requested that the bridge closure times be changed from 9:30 p.m. until 10:30 p.m., to 10:00 p.m. until 11:00 p.m. Since the fireworks show runs between 9:30 p.m. and 10:00 p.m., there is very little traffic crossing the bridge. However, there remains a high volume of traffic between 10:30 p.m. and 11:00 p.m. This change will allow for a more orderly process of transiting the heavy volumes of vehicular traffic following the fireworks show.

C. Discussion of Comments, Changes and the Final Rule

The Coast Guard received no comments in response to the notice of proposed rulemaking. As a result, no changes have been made to this final rule. Therefore, we revised the times in 117.559(c) from the current times of 9:30 p.m. to 10:30 p.m. to new times of 10 p.m. to 11 p.m.

D. Regulatory Analyses

The Coast Guard developed this rule after considering numerous statutes and executive orders related to rulemaking. Below the Coast Guard summarizes our analyses based on these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The changes are expected to have minimal impact on maritime traffic transiting the bridge. Mariners can plan their trips in accordance with the revised schedule to minimize delays. While the times are changing, mariners are familiar with this bridge closure because for the past 12 years the Coast Guard has allowed the bridge to remain in the closed position for the fireworks event.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This final rule would affect the following entities, some of which might be small entities: the owners or operators of vessels needing to transit through the bridge from 10 p.m. until 11 p.m., on July 4th or July 5th of every year. This action will not have

significant economic impact on a substantial number of small entities because the rule adds minimal restrictions to the movement of navigation and mariners who plan their transits in accordance with the scheduled bridge closure can minimize delay. This event has occurred every year for the past 12 years; therefore, mariners should be familiar with planning their transits accordingly. Vessels that can safely transit under the bridge may do so at any time.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairneww Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

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. The Coast Guard have analyzed this rule under that Order and have determined that it does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

7. 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 expenditure, Coast Guard does discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference With Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

The Coast Guard has analyzed this rule under Executive Order 13045, Protection of Children From Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

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.

12. Energy Effects

This action is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, Coast Guard did not consider the use of voluntary consensus standards.

14. Environment

The Coast Guard has analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or procedures for drawbridges. This rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 117.559(c), to read as follows:

§ 117.559 Isle of Wight (Sinepuxent) Bay.

* * * * *

(c) On July 4, the draw need not open from 10 p.m. until 11 p.m. to accommodate the annual July 4th fireworks show. Should inclement weather prevent the fireworks event from taking place as planned, the draw need not open from 10 p.m. until 11 p.m. on July 5th to accommodate the annual July 4th fireworks show.

Dated: June 10, 2014.

Stephen P. Metruck,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 2014–14635 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2014–0342]

RIN 1625–AA00

Safety Zone, Schuylkill River; Philadelphia, PA

AGENCY: Coast Guard, DHS.

ACTION: Temporary Interim Rule and Request for Comments.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the waters of the Schuylkill River around the Point Breeze docks of Philadelphia Energy Solutions for a period of six months, from July 5, 2014 to January 5, 2015. The safety zone is necessary when a barge with a beam (width) up to 80 feet moors at the Philadelphia Energy Solutions Point Breeze docks Deloach pier, reducing the horizontal clearance of the channel by as much as 30 feet when a barge is moored at the facility. This rule will allow the Coast Guard to restrict all vessel traffic through the safety zone when a barge having a beam of 65 to 80 feet is scheduled to moor at the facility. The Coast Guard is seeking comments on the potential impact to vessel traffic on the Schuylkill River that may result from 30 feet of reduced horizontal channel clearance when a barge is moored at the Point Breeze docks of Philadelphia Energy Solutions in the Schuylkill River. The Coast Guard intends to finalize this interim rule after considering, and incorporating to the extent appropriate, any comments from the public.

DATES: This rule is effective from July 5, 2014 to January 5, 2015. Comments and related material must be received by the Coast Guard on or before July 24, 2014.

ADDRESSES: You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email First Class Petty Officer Tom Simkins, Sector Delaware Bay Waterways Management Division, U.S. Coast Guard; telephone (215) 271–4889, email *tom.j.simkins@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking

A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided.

1. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online at *http://www.regulations.gov,* or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov,* type the docket number [USCG–2014–0342] in the "SEARCH" box and click "SEARCH." Click on "Submit a Comment" on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number (USCG–2014–0342) in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

4. Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one during the comment period, using one of the methods specified under **ADDRESSES.** Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register.**

B. Regulatory History and Information

The Coast Guard is issuing this rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This 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." Under 5 U.S.C. 553(b)(B), the

Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule. It would be impracticable and contrary to the public interest to delay promulgating this rule, as it is necessary to protect the safety of waterway users operating in the vicinity of the safety zone. Mooring operations at the Deloach pier for barges with a beam (width) up to 80 feet are scheduled to begin in July 2014, and rapid establishment of the safety zone is needed to mitigate the potential safety hazards associated with these operations. A delay or cancellation of mooring operations in order to accommodate a full notice and comment period would delay necessary operations and result in increased costs and risks. This rule will enable Philadelphia Energy Solutions to reduce the costs and risks associated with multiple oil transfers. The Coast Guard believes it would be impracticable and contrary to the public interest to delay this regulation. 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** for the same reasons.

The Coast Guard will provide as much advance notice as possible prior to enforcement. Specific closure dates and times will be disseminated via a Safety Marine Information Broadcast during each closure and posted in the Local Notice to Mariners, if possible.

The Coast Guard is soliciting public comments on this temporary interim rule. Although this interim rule is effective on July 5, 2014, we will consider public comments when developing a final rule that will supersede this interim rule, and we may make changes in response to public comments on any part of this interim rule.

C. Basis and Purpose

The legal basis for this rule is: 33 U.S.C 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

The purpose of this rulemaking is to ensure the safety of waterway users from hazards that may result from 30 feet of reduced horizontal channel clearance when a barge with a beam (width) up to 80 feet is moored at the Point Breeze docks of Philadelphia Energy Solutions in the Schuylkill River.

D. Discussion of Temporary Interim Rule

The Coast Guard is establishing a temporary safety zone in the waters of the Schuylkill River in Philadelphia, PA around the Deloach Pier, to be in effect while barges are moored which have a beam between 65 and 80 feet. Due to the width of these barges and the close proximity of the dock to the navigable channel, vessel traffic will be restricted from utilizing the full width of the channel while these barges are moored there. This temporary safety zone will be established for a period of six months, from July 5, 2014 to January 5, 2015. During times of enforcement, no person may enter the safety zone unless authorized by the Captain of the Port or her representative. Once this rule becomes effective, the Coast Guard will evaluate the continued need for the safety zone.

Philadelphia Energy Solutions utilizes two "Point Breeze docks," called the "Short pier" and the "Deloach pier," to conduct oil transfers on the Schuylkill River. The proximity of the navigable channel to the Short pier is as little as 65 feet on the south end. Likewise, the Deloach pier is only 50 feet from the boundaries of the navigable channel at its southernmost point. Due to close proximity to the navigable channel and the resulting beam restrictions on moored barges, Philadelphia Energy Solutions presently contracts a smaller barge to lighter product from the larger barge at anchorage in the Delaware River. The smaller barge then conducts transfers at the Point Breeze docks. To reduce the risk of multiple oil transfers, Philadelphia Energy Solutions has requested to moor barges having a beam of up to 80 feet at the Point Breeze docks Deloach pier.

Philadelphia Energy Solutions requested permission to moor barges having a beam of up to 80 feet at their Point Breeze docks Deloach pier for the purpose of preventing dock congestion at Girard Point, thereby reducing the presence of barges at anchor awaiting berth in the Delaware River and reducing the risk of unnecessary oil transfers. The channel within the Schuylkill River is 300 feet wide at the location of the Point Breeze docks. A barge having a beam of 80 feet will overlap the navigable channel by approximately 30 feet while moored at the Deloach pier of the Point Breeze docks.

The Coast Guard has evaluated the potential impact to commercial navigation on the Schuylkill River and has discussed this action with maritime stakeholders on multiple occasions through the Mariner's Advisory Committee for the Bay and River Delaware. The Mariners Advisory Committee has received no stakeholder objections. Currently, only one berth regularly operates upriver of Passyunk Avenue Bridge, receiving barges which will not be restricted by the reduced horizontal channel clearance at Philadelphia Energy Solutions. Other terminals upriver of the bridge no longer receive vessel traffic.

No objections have been received by commercial stakeholders making use of the channel. Additionally, it is not anticipated that larger vessel traffic will be established upriver of Point Breeze due to existing bridge height restrictions. This rule is only in effect for six months and subject to review in the event larger vessel traffic wishes to trade upriver of Point Breeze in the future.

This rule is required in order to safely facilitate cargo operations and protect both life and property on the navigable waterways of the Schuylkill River in respect to the commercial/recreational vessel traffic, while mitigating congestion and anchorage use in nearby navigable waters. The Coast Guard is establishing a safety zone on the Schuylkill River at the Point Breeze docks of Philadelphia Energy Solutions from the Passyunk Avenue Bridge to latitude 39°54′50″ N to facilitate the movement of barge traffic in the Schuylkill River and to prevent conflict of navigation between vessels transiting the Schuylkill River and barges mooring at the Deloach pier of Philadelphia Energy Solutions. The safety zone will provide notice for the safety of vessel traffic in the navigable channel. When a barge having a beam (width) of 65 to 80 feet is scheduled to moor at the Deloach pier, Philadelphia Energy Solutions will give the Coast Guard 24 hours advance notice. The Coast Guard will permit the wide barge to moor and will broadcast the implementation of the safety zone for the duration of the time that the barge is moored at the Deloach pier. Advance public notifications will be made to the local maritime community through the Broadcast Notice to Mariners and Local Notice to Mariners, if possible.

E. 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 or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. This rule is not a significant regulatory action because it will not interfere with existing or potential activity on the Schuylkill River.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons. The navigable channel is 300 feet wide, providing a remaining 270 feet of horizontal channel clearance for the passage of vessel traffic in the Schuylkill River. Additionally, the only commercial vessel traffic utilizing the waterway upriver of the Passyunk Avenue Bridge is an occasional barge. All anticipated vessel traffic will be able to pass safely around an 80 foot wide barge moored at the Deloach pier of the Point Breeze docks at Philadelphia Energy Solutions. Before the safety zone goes into effect, maritime advisories will be made widely available to users of the Schuylkill River navigable channel.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. 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.).

5. Federalism

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 determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

7. 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 would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children From Environmental Health Risks

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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.

12. Energy Effects

This rule is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 implementation of a safety zone when a barge having beam (width) of 65 to 80 feet is moored at the Deloach pier of the Point Breeze docks at Philadelphia Energy Solutions on the Schuylkill River. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under

ADDRESSES. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

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: 33 U.S.C 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1

■ 2. Add temporary § 165.T05–0342, to read as follows:

§ 165.T05–0342 Safety Zone, Schuylkill River; Philadelphia, PA.

(a) *Location.* The following area is a safety zone: All waters of the Schuylkill River in Philadelphia, PA, inside a boundary described as originating from the Passyunk Avenue Bridge south to latitude 39°54′50″ N.

(b) *Enforcement period.* (1) This regulation is enforced during times when a barge having a beam (width) of 65 to 80 feet is moored at the Deloach pier of the Point Breeze docks at Philadelphia Energy Solutions.

(2) Prior to commencing enforcement of this Safety Zone, the COTP or designated on-scene patrol personnel will notify the public whenever the regulations are being enforced, to include dates and times. The means of notification may include, but are not limited to, Broadcast Notice to Mariners, Local Notice to Mariners, Marine Safety Information Bulletins, or other appropriate means.

(c) *Regulations.* (1) All persons are required to comply with the general regulations governing safety zones in 33 CFR 165.23.

(2) All persons and vessels transiting through the Safety Zone must be authorized by the Captain of the Port or her representative.

(3) All persons or vessels wishing to transit through the Safety Zone must request authorization to do so from the Captain of the Port or her representative 30 minutes prior to the intended time of transit.

(4) Vessels granted permission to transit must do so in accordance with the directions provided by the Captain of the Port or her representative to the vessel.

(5) To seek permission to transit the Safety Zone, the Captain of the Port or her representative can be contacted via Sector Delaware Bay Command Center (215) 271–4940.

(6) This section applies to all vessels wishing to transit through the Safety Zone except vessels that are engaged in the following operations:

(i) Enforcing laws;

(ii) Servicing aids to navigation; and

(iii) Emergency response vessels.

(7) No person or vessel may enter or remain in a safety zone without the permission of the Captain of the Port;

(8) Each person and vessel in a safety zone shall obey any direction or order of the Captain of the Port;

(9) No person may board, or take or place any article or thing on board, any vessel in a safety zone without the permission of the Captain of the Port; and

(10) No person may take or place any article or thing upon any waterfront facility in a safety zone without the permission of the Captain of the Port.

(d) Definitions. The Captain of the Port means the Commander of Sector Delaware Bay or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act on her behalf.

(e) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the Safety Zone by Federal, State, and local agencies.

Dated: June 10, 2014.

B. Cooper,

Captain, U.S. Coast Guard, Acting Captain of the Port Delaware Bay.

[FR Doc. 2014–14631 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2014–0034]

RIN 1625–AA00

Safety Zone, Texas City Channel, Texas City, TX

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard published a direct final rule and request for comments on April 8, 2014, removing the Snake Island Safety Zone, also known as Shoal Point, within the Texas City Channel. We did not receive any adverse comments or any notices of intent to submit an adverse comment. Therefore, the rule will go into effect as scheduled to remove the existing regulation because it places general restrictions on vessels which are no longer necessary.

DATES: This final rule is effective July 14, 2014.

FOR FURTHER INFORMATION CONTACT: For information about this regulation call or email LCDR Xochitl Castañeda, Sector Houston-Galveston, Houston, Texas, at telephone (281) 464–4891, email *Xochitl.L.Castaneda@Uscg.mil.* For information about viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826, toll free 1–800–647–5527.

Discussion

The Coast Guard published a direct final rule on April 8, 2014 in the **Federal Register** (79 FR 19289) to disestablish the Snake Island safety zone, also known as Shoal Point, within the Texas City channel. The Coast Guard did not receive any comment on this rulemaking. The direct final rule will go into effect on July 7, 2014.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed herein and in the direct final rule, published April 8, 2014, 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: 33 U.S.C. 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

§ 165.804 [Removed]

■ 2. Remove § 165.804.

Dated: June 3, 2014.

Brian K. Penoyer,

Captain, U.S. Coast Guard, Captain of the Port Houston-Galveston.

[FR Doc. 2014–14633 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2014–0363]

RIN 1625–AA00

Safety Zone; Hudson River Swim for Life; Hudson River, Sleepy Hollow, New York

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the navigable waters of Hudson River in the vicinity of Sleepy Hollow, New York for a swim event. This temporary safety zone is necessary to protect the maritime public and event participants from the hazards associated with swim events taking place in a high vessel traffic area. This rule is intended to restrict all vessels from a portion of Hudson River before and during the swim event.

DATES: This rule is effective on July 27, 2014 from 10:30 a.m. to 2:30 p.m.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2014–0363]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Junior Grade Kristopher Kesting, Sector New York, Waterways Management, U.S. Coast Guard; Telephone (718) 354–4154, E-Mail *Kristopher.R.Kesting@uscg.mil*. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Hudson River Swim for Life is an annual recurring event that has a permanent safety zone found at 33 CFR 165.160. The effective date for the permanent safety zone is the second weekend in September. This year the sponsor requested to change the date of the event to July 27, 2014.

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This 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." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Coast Guard received the information about the event on April 18, 2014; approximately 100 swimmers and 400 event supporters are anticipating this event taking place as scheduled. The event sponsor is unable and unwilling to postpone this event because the date of this event was chosen based on the availability of sponsorship for the event. This swim is a charity event to raise money for the Leukemia & Lymphoma Society.

Any change to the date of the event could potentially cause economic hardship on the marine event sponsor and negatively impact other activities being held in conjunction with this event.

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**.

The rule must become effective on the date specified in order to provide for the safety of life on the navigable waters from the hazards of swimming in the Hudson River, particularly while crossing the shipping channel. The sponsor is planning to hold the event on the specified date and the safety zone is necessary to provide for the safety of event participants, spectator crafts, and other vessels operating near the event area.

B. Basis and Purpose

The legal basis for this rule is 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

The COTP has determined that swimming events in close proximity to marine traffic pose significant risk to public safety and property. The combination of increased numbers of recreation vessels, congested waterways, and large numbers of swimmers in the water has the potential to result in serious injuries or fatalities. In order to protect the safety of all waterway users including event participants and spectators, this rule establishes a temporary safety zone for the duration of the event.

This rule prevents vessels from entering into, transiting through, mooring or anchoring within the area specifically designated as the safety zone during the period of enforcement unless authorized by the COTP, or the designated representative.

C. Discussion of the Final Rule

This temporary rule creates a safety zone for a swim event on the navigable waters of the Hudson River. A portion of the navigable waters will be closed during the effective period to all vessel traffic except patrol crafts.

In order to coordinate the safe movement of vessels within the area and to ensure that the area is clear of unauthorized persons and vessels before, during, and immediately after the swim event, this zone will be effective from approximately 10:30 a.m. to 2:30 p.m. on July 27, 2014.

Vessels will still be able to transit the surrounding area and may be authorized to transit through the safety zone with permission from the COTP or a designated representative.

Advanced public notifications will also be made to local mariners through appropriate means, which will include, but are not limited to, the Local Notice to Mariners as well as Broadcast Notice to Mariners.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and

Budget has not reviewed it under those Orders.

Although this regulation may have some impact on the public, the potential impact will be minimal. Vessels will only be restricted from the safety zone for a short duration of time. Before activating the zone, the Coast Guard will notify mariners by appropriate means including but not limited to Local Notice to Mariners and Broadcast Notice to Mariners. Additionally, the Coast Guard promulgated a permanent safety zone found in 33 CFR Part 165 for the event area in the past and no adverse comments or notice of any negative impact caused by the safety zone were received.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

(1) This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to transit or anchor in a portion of the navigable waters in the vicinity of the marine event during the effective period.

(2) This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons: This rule will be in effect for a short period, vessel traffic can pass safely through the safety zone with permission from the COTP or a designated representative, and the Coast Guard will notify mariners before activating the zone by appropriate means which may include but are not limited to Local Notice to Mariners and Broadcast Notice to Mariners.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. 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).

5. Federalism

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 determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

7. 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 expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

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.

12. Energy Effects

This action is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (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 the establishment of a temporary safety zone. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under

ADDRESSES. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Marine safety, Navigation (water), Reporting and recordkeeping requirements, 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 AREA

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T01–0363 to read as follows:

§ 165.T01–0363 Safety Zone; Hudson River Swim for Life; Hudson River, Sleepy Hollow, NY.

(a) *Regulated Area.* The following area is a temporary safety zone: All navigable waters of the Hudson River bound by a line drawn from position 41°05′40.90″ N, 073°54′55.01″ W, east to position 41°05′41.43″ N, 073°52′12.03″ W, south to position 41°04′42.20″ N, 073°52′11.35″ W, west to position 41°04′01.38″ N, 073°55′01.01″ W, then north along the shoreline back to the point of origin.

(b) *Enforcement Period.* This rule will be enforced from approximately 10:30 a.m. to 2:30 p.m. on July 27, 2014.

(c) *Definitions.* The following definitions apply to this section:

(1) *Designated Representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP) New York, to act on his or her behalf. A designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official Patrol Vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(d) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) No vessels, except for support vessels provided by the event sponsor, will be allowed to transit the safety zone without the permission of the COTP.

(3) All persons and vessels shall comply with the instructions of the COTP or a designated representative. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the COTP or a designated representative via VHF channel 16 or 718–354–4353 (Sector New York command center) to obtain permission to do so.

Dated: June 7, 2014.

G. Loebl,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2014–14711 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2014–0117]

RIN 1625–AA00

Safety Zone; Lady Liberty Sharkfest Swim; Upper New York Bay, Liberty Island, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for a swim event on the navigable waters of Upper New York Bay in the vicinity of Liberty Island, New York. This temporary safety zone is necessary to protect the maritime public and event participants from the hazards associated with swim events taking place in a high vessel traffic area. This rule is intended to restrict all vessels from a portion of Upper New York Bay before and during the swim event.

DATES: This rule is effective on June 29, 2014 from 7:00 a.m. to 10:00 a.m.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2014–0117]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Junior Grade Kristopher Kesting, Coast Guard; telephone (718) 354–4154, email *Kristopher.R.Kesting@uscg.mil*. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard published a notice of proposed rulemaking (NPRM) entitled Lady Liberty Sharkfest Swim; Upper New York Bay, Liberty Island, NY on April 25, 2014 in the **Federal Register** (79 FR 22924). We received no comments on the proposed rule. No public meeting was requested and none was held.

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 final publication in the **Federal Register**. The event sponsor is unable and unwilling to postpone this event because the date of this event was chosen based on optimal tide, current, and weather conditions needed to promote the safety of swim participants. In addition, any change to the date of the event would cause economic hardship on the marine event sponsor. The rule must become effective on the date specified in order to provide for the safety of the swimmers and vessels operating in the area near this event. Delaying this rule would be impracticable and contrary to the public interest, and would expose swimmers and vessels to the hazards associated with the swim events.

B. Basis and Purpose

The legal basis for this rule is 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

The Captain of the Port (COTP) has determined that swimming events in close proximity to marine traffic pose significant risk to public safety and

property. The combination of increased numbers of recreation vessels, congested waterways, and large numbers of swimmers in the water has the potential to result in serious injuries or fatalities. In order to protect the safety of all waterway users including event participants and spectators, this temporary rule establishes a temporary safety zone for the duration of the event.

This rule prevents vessels from entering into, transiting through, mooring or anchoring within the area specifically designated as the safety zone during the period of enforcement unless authorized by the COTP, or the designated representative.

C. Discussion of Comments, Changes and the Final Rule

No comments were received and no changes were made to the final rule.

The swim event will occur from approximately 7:30 a.m. until approximately 9:30 a.m. on June 29, 2014. In order to coordinate the safe movement of vessels within the area and to ensure that the area is clear of unauthorized persons and vessels before, during, and immediately after the swim event, this zone will be effective from approximately 7:00 a.m. until approximately 10:00 a.m. on June 29, 2014.

Vessels will still be able to transit the surrounding area and may be authorized to transit through the safety zone with permission from the COTP or a designated representative. The COTP does not anticipate any negative impact on vessel traffic due to this safety zone.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The Coast Guard's enforcement of this safety zone will be of short duration, lasting only 3 hours. The safety zone will restrict access to only a small portion of the navigable waterways of the Upper New York Bay. Vessels will be able to navigate around the safety zone. Furthermore, vessels may be authorized to transit through the safety zone with the permission of the COTP.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

(1) This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to transit or anchor in a portion of the navigable waters in the vicinity of the marine event during the effective period.

(2) This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons: This rule will be in effect for a short period, vessel traffic could pass safely around the safety zone, and the Coast Guard will notify mariners before activating the zone by appropriate means which may include but are not limited to Local Notice to Mariners and Broadcast Notice to Mariners.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. 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).

5. Federalism

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 determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

7. 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.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

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.

12. Energy Effects

This action is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (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 establishment of a temporary safety zone. This rule may be categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, and Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C 1231; 46 U.S.C Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T01–0117 to read as follows:

§ 165.T01–0117 Safety Zone; Lady Liberty Sharkfest Swim; Upper New York Bay, Liberty Island, NY.

(a) *Regulated Area.* The following area is a temporary safety zone: All navigable waters of the Upper New York Bay bound by a line drawn from position 40°42′44.82″ N, 074°02′18.03″ W, east to position 40°42′28.86″ N, 074°01′30.22″ W, south to position 40°42′12.24″ N, 074°02′18.22″ W, west to position 40°41′35.38″ N, 074°03′12.61″ W, then north along the shoreline back to the point of origin.

(b) *Enforcement Period.* This rule will be enforced from approximately 7:00 a.m. to 10:00 a.m. on June 29, 2014.

(c) *Definitions.* The following definitions apply to this section:

(1) *Designated Representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP) New York, to act on his or her behalf. A designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official Patrol Vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(d) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) No vessels, except for support vessels provided by the event sponsor, will be allowed to transit the safety zone without the permission of the COTP.

(3) All persons and vessels shall comply with the instructions of the COTP or a designated representative. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the COTP or a designated representative via VHF channel 16 or 718–354–4353 (Sector New York command center) to obtain permission to do so.

Dated: June 7, 2014.

G. Loebl,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2014–14707 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF EDUCATION

34 CFR Part 600

RIN 1840–AD02

Institutional Eligibility Under the Higher Education Act of 1965, as Amended; Delay of Implementation Date

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Final regulations; delay of implementation date.

SUMMARY: The Department further delays, until July 1, 2015, the implementation date for certain State authorization regulations for institutions of postsecondary education whose State authorization does not meet the requirements of these regulations, so long as the State is establishing an acceptable authorization process that is to take effect by the delayed implementation date.

DATES: The implementation date is delayed to July 1, 2015, as discussed in the Supplementary Information section of this document.

FOR FURTHER INFORMATION CONTACT: Sophia McArdle, U.S. Department of Education, 1990 K Street NW., Room 8019, Washington, DC 20006–8542. Telephone: (202) 219–7078 or by email at: *Sophia.McArdle@ed.gov.*

SUPPLEMENTARY INFORMATION: The Department further delays, until July 1, 2015, the implementation date of the changes to 34 CFR 600.9(a) and (b) (State authorization regulations) published in the **Federal Register** on October 29, 2010 (75 FR 66832) for institutions of postsecondary education whose State authorization does not meet the requirements of these regulations by July 1, 2014, so long as the State is establishing an acceptable authorization process that is to take effect by the delayed implementation date. On May 21, 2013, the Department delayed this

date from July 1, 2013, to July 1, 2014 (78 FR 29652). The Department provides this further extension for institutions in order to provide States with additional time to finalize processes for those institutions to be able to comply with the State authorization provisions in § 600.9(a) and (b). Those provisions apply to an institution separately with respect to each State in which the institution has a main or additional location offering at least 50 percent of an eligible educational program.

In order for an institution that cannot meet the State authorization requirements to receive an extension until July 1, 2015, to implement § 600.9(a) and (b), the institution must obtain from the State an explanation, such as information on timeline and action steps to ensure compliance, of how an additional one-year extension will permit the State to finalize its procedures so that the institution is in compliance with amended § 600.9. The explanation must be provided to Department staff upon request.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT.**

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature of this site, you can limit your search to documents published by the Department.

List of Subjects in 34 CFR Part 600

Colleges and universities, Foreign relations, Grant programs—education, Loan programs—education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: June 19, 2014.

Lynn B. Mahaffie,

Acting Assistant Secretary for Postsecondary Education.

[FR Doc. 2014–14721 Filed 6–23–14; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2014–0018, FRL–9912–55–Region 10]

Approval and Promulgation of Implementation Plans; Oregon: Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the portion of the December 27, 2013, State Implementation Plan (SIP) submittal from Oregon relating to the infrastructure requirements of the Clean Air Act (CAA) for the National Ambient Air Quality Standards (NAAQS) promulgated for lead (Pb) on October 15, 2008. The CAA requires that each state, after a new or revised NAAQS is promulgated, review their SIP to ensure that it meets the infrastructure requirements necessary to implement the new or revised NAAQS. The EPA finds that the Oregon SIP meets the CAA infrastructure requirements for the 2008 Pb NAAQS.

DATES: This final rule is effective on July 24, 2014.

ADDRESSES: The EPA has established a docket for this action under Docket Identification No. EPA–R10–OAR–2014–0018. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information may not be publicly available, i.e., Confidential Business Information or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at EPA Region 10, Office of Air, Waste, and Toxics, AWT–107, 1200 Sixth Avenue, Seattle, Washington 98101. The EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kristin Hall at: (206) 553–6357, *hall.kristin@epa.gov,* or the above EPA, Region 10 address.

SUPPLEMENTARY INFORMATION: Throughout this document wherever "we," "us" or "our" is used, it is intended to refer to the EPA. Information is organized as follows:

Table of Contents

I. Background

Section 110 of the CAA specifies the general requirements for states to submit SIPs to implement, maintain, and enforce the NAAQS and the EPA's actions regarding approval of those SIPs. On December 27, 2013, Oregon submitted a SIP revision to the EPA demonstrating that the SIP meets the infrastructure requirements of the CAA for the 2008 Pb NAAQS, 2010 nitrogen dioxide NAAQS, and 2010 sulfur dioxide NAAQS. On April 17, 2014, we proposed approval of the portion of Oregon's December 27, 2013, submittal relating to the 2008 Pb NAAQS (79 FR 21679). An explanation of the CAA requirements and implementing regulations that are met by this SIP revision, a detailed explanation of the revision, and the EPA's reasons for the proposed action were provided in the notice of proposed rulemaking on April 17, 2014, and will not be restated here. We note that we intend to address the remainder of the December 27, 2013, submittal, relating to the infrastructure requirements of the 2010 nitrogen dioxide NAAQS and 2010 sulfur dioxide NAAQS, in a separate action (79 FR 21679). The public comment period for our proposed action ended on May 19, 2014, and we received no comments.

II. Final Action

The EPA is approving the portion of the December 27, 2013, submittal from Oregon relating to the infrastructure requirements of the 2008 Pb NAAQS. Specifically, we are approving the submitted revision to OAR 340–202–0130 "Ambient Air Quality Standard for Lead" and the addition of OAR 340–202–0020 "Applicability." We find that the Oregon SIP meets the following CAA section 110(a)(2) infrastructure elements for the 2008 Pb NAAQS: (A),

(B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).

As described in detail in our proposal on April 17, 2014 (79 FR 21679), we are not approving the submitted revision to OAR 340–200–0040 "State of Oregon Clean Air Act Implementation Plan." In addition, we are taking no action on the submitted revisions to OAR 340–200–0020 "General Air Quality Definitions, Table 1—Significant Air Quality Impact," OAR 340–202–0070 "Sulfur Dioxide," and OAR 340–202–0100 "Nitrogen Dioxide" because these revisions are outside the scope of the 2008 Pb infrastructure SIP. We intend to address these revisions in a separate action. This action is being taken under section 110 of the CAA.

III. Statutory and Executive Order Reviews

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

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

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

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 25, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Lead, Particulate matter, and Reporting and recordkeeping requirements.

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

Dated: June 5, 2014.

Dennis J. McLerran,

Regional Administrator, Region 10.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart MM—Oregon

■ 2. In § 52.1970, Table 2 in paragraph (c) is amended by adding in numerical order entry "202–0020 Applicability" and revising entry "202–0130 Ambient Air Quality Standard for Lead" under Division 202, after the table subheading "Ambient Air Quality Standards" to read as follows:

§ 52.1970 Identification of plan.

* * * * *

(c) * * *

TABLE 2—EPA APPROVED OREGON ADMINISTRATIVE RULES (OAR)

State citation	Title/subject	State effective date	EPA approval date	Explanations
CHAPTER 340—DEPARTMENT OF ENVIRONMENTAL QUALITY				
* * * * * * *				
Division 202 Ambient Air Quality Standards and PSD Increments				
* * * * * * *				
Ambient Air Quality Standards				

TABLE 2—EPA APPROVED OREGON ADMINISTRATIVE RULES (OAR)—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
* *	*	*	* *	*
202–0020	Applicability	11/7/2013	6/24/2014, [Insert **Federal Register** citation].	
* *	*	*	* *	*
202–0130	Ambient Air Quality Standard for Lead.	11/7/2013	6/24/2014, [Insert **Federal Register** citation].	
* *	*	*	* *	*

■ 3. Section 52.1991 is amended by adding paragraph (c) to read as follows:

§ 52.1991 Section 110(a)(2) infrastructure requirements.

* * * * *

(c) On December 27, 2013, the Oregon Department of Environmental Quality submitted a SIP revision to address the requirements of CAA sections 110(a)(1) and (2) for the 2008 lead NAAQS. The EPA approves the submittal as meeting the following CAA section 110(a)(2) infrastructure elements for the 2008 lead NAAQS: (A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).

[FR Doc. 2014–14567 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2012–0733, EPA–R01–OAR–2012–0935; A–1–FRL–9911–51–Region–1]

Approval and Promulgation of Air Quality Implementation Plans; Maine and New Hampshire; Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving State Implementation Plan (SIP) revisions submitted by the States of Maine and New Hampshire. The revisions primarily update state regulations containing ambient air quality standards (AAQS) consistent with EPA national ambient air quality standards (NAAQS). The intended effect of this action is to approve these requirements into the Maine and New Hampshire SIPs. This action is being taken in accordance with the Clean Air Act (CAA).

DATES: This direct final rule will be effective August 25, 2014, unless EPA receives adverse comments by July 24, 2014. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments identified by Docket ID Number EPA–R01–OAR–2012–0733 for comments pertaining to our action for Maine, or EPA–R01–OAR–2012–0935 for comments pertaining to our action for New Hampshire, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *E-Mail: arnold.anne@epa.gov.*
3. *Fax:* (617) 918–0047.
4. *Mail:* "Docket Identification Number EPA–R01–OAR–2012–0733 or EPA–R01–OAR–2012–0935," Anne Arnold, Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05–2), Boston, MA 02109–3912.
5. *Hand Delivery or Courier.* Deliver your comments to: Anne Arnold, Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05–2), Boston, MA 02109–3912. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Instructions: Direct your comments to Docket ID Number EPA–R01–OAR–2012–0733 for comments pertaining to our action for Maine, or EPA–R01–OAR–2012–0935 for comments pertaining to our action for New Hampshire. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov*, or email, information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov* 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. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the

contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

In addition, copies of each state's submittal are available for public inspection during normal business hours, by appointment at the corresponding state environmental agency: Bureau of Air Quality Control, Department of Environmental Protection, First Floor of the Tyson Building, Augusta Mental Health Institute Complex, Augusta, ME 04333–0017; and Air Resources Division, Department of Environmental Services, P.O. Box 95, 29 Hazen Drive, Concord, NH 03302–0095.

FOR FURTHER INFORMATION CONTACT: David Mackintosh, Air Quality Planning Unit, U.S. Environmental Protection Agency, New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05–02), Boston, MA 02109–3912, telephone 617–918–1584, facsimile 617–918–0584, email *mackintosh.david@epa.gov.*

SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

The following outline is provided to aid in locating information in this preamble.

I. What action is EPA taking?

EPA is approving two SIP revisions submitted by the State of Maine, which include Maine's revised Chapter 110, "Ambient Air Quality Standards," submitted to EPA on August 21, 2012, and Maine's revised Chapter 114, "Classification of Air Quality Control Regions," submitted to EPA on August 31, 2012. EPA is also approving a SIP revision submitted by the State of New Hampshire on November 8, 2012, which includes New Hampshire's revised Env-A 300, "Ambient Air Quality Standards." These state regulations were revised to reflect updates to the federal NAAQS and to clarify the boundary description for an existing air quality control region in the State of Maine.

II. What is the background for this action?

Section 109 of the CAA directs EPA to establish NAAQS requisite to protect public health with an adequate margin of safety (primary standard) and for the protection of public welfare (secondary standard). Section 109(d)(1) of the CAA requires EPA to complete a thorough review of the NAAQS at 5-year intervals and promulgate new standards when appropriate. Additionally, Section 107 of the CAA requires the establishment of air quality control regions for the purpose of implementing the NAAQS.

On October 17, 2006 (71 FR 61144), EPA revised the primary and secondary 24-hour NAAQS for fine particulate matter ($PM_{2.5}$) to 35 micrograms per cubic meter. This final rule became effective on December 18, 2006.

On March 27, 2008 (73 FR 16436), EPA revised the NAAQS for ozone, setting the level of the primary and secondary 8-hour standard to 0.075 parts per million. This final ozone standard rule became effective on May 27, 2008.

On November 12, 2008 (73 FR 66964), EPA revised the NAAQS for lead, setting the level of the primary and secondary standard to 0.15 micrograms per cubic meter and revised the averaging time to a rolling 3-month period with a maximum (not-to-be-exceeded) form, evaluated over a 3-year period. The final lead standard rule became effective on January 12, 2009.

On February 9, 2010 (75 FR 6474), EPA revised the NAAQS for oxides of nitrogen as measured by nitrogen dioxide (NO_2). EPA established a 1-hour primary standard for NO_2 at a level of 100 parts per billion, based on the 3-year average of the 98th percentile of the yearly distribution of 1-hour daily maximum concentrations, to supplement the existing primary and secondary annual standard of 53 parts per billion (61 FR 52852, Oct 8, 1996). The final NO_2 rule became effective on April 12, 2010.

On June 22, 2010 (75 FR 35520), EPA revised the NAAQS for oxides of sulfur as measured by sulfur dioxide (SO_2). EPA established a new 1-hour SO_2 primary standard at a level of 75 parts per billion, based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. EPA also revoked both the previous 24-hour and annual primary SO_2 standards. This final rule became effective on August 23, 2010.

On August 21, 2012, Maine submitted a SIP revision to update its Chapter 110, "Ambient Air Quality Standards." Then on August 31, 2012, Maine submitted a SIP revision to update its Chapter 114, "Classification of Air Quality Control Regions." On November 8, 2012, New Hampshire submitted a SIP revision to update its Env-A 300, "Ambient Air Quality Standards."

On January 15, 2013 (78 FR 3086), EPA revised the primary $PM_{2.5}$ annual NAAQS, lowering the standard to 12.0 micrograms per cubic meter. The final rule became effective on March 18, 2013.

III. What is included in the submittals?

A. Maine

Maine's August 21, 2012, SIP submittal includes revised Chapter 110, "Ambient Air Quality Standards." This regulation has been revised to explicitly incorporate the new NAAQS, discussed above, with the exception of the latest revision to the $PM_{2.5}$ primary standard. Maine's SIP revision was submitted on August 21, 2012, prior EPA's adoption of the 12.0 microgram per cubic meter $PM_{2.5}$ primary annual standard. Specifically, Maine adopted the following substantive changes:

1. The lead primary and secondary rolling 3-month average standards of 0.15 micrograms per cubic meter;
2. The nitrogen dioxide primary 1-hour standard of 100 parts per billion;
3. The ozone primary and secondary 8-hour standards of 0.075 parts per million;
4. The $PM_{2.5}$ primary and secondary annual standard of 15.0 micrograms per cubic meter;
5. The $PM_{2.5}$ primary and secondary 24-hour standards of 35.0 micrograms per cubic meter;
6. The sulfur dioxide primary 1-hour standard of 75 parts per billion; and
7. Ambient air increments for $PM_{2.5}$ under the Prevention of Significant Deterioration (PSD) permit program.

Maine's August 31, 2012 SIP revision includes Maine's revised Chapter 114, "Classification of Air Quality Control Regions," which was revised to clarify that the Moosehorn Wilderness Area located in Moosehorn National Wildlife Refuge is a Class I area. Maine also deleted the rule's prior reference to ozone nonattainment areas.

B. New Hampshire

New Hampshire's SIP submittal contains revised Env-A 300, "Ambient Air Quality Standards." This regulation has been revised to explicitly incorporate the revised NAAQS, discussed above, with the exception of the latest revision to the $PM_{2.5}$ primary standard. New Hampshire's SIP revision was submitted on November 8, 2012, prior EPA's adoption of the 12.0

microgram per cubic meter $PM_{2.5}$ primary annual standard. Specifically, New Hampshire adopted the following substantive changes:

1. The lead primary and secondary rolling 3-month-average standards of 0.15 micrograms per cubic meter;
2. The nitrogen dioxide primary 1-hour standard of 100 parts per billion;
3. The ozone primary and secondary 8-hour standards of 0.075 parts per million;
4. The $PM_{2.5}$ primary and secondary annual standards of 15 micrograms per cubic meter;
5. The $PM_{2.5}$ primary and secondary 24-hour standards of 35 micrograms per cubic meter;
6. The PM_{10} primary and secondary 24-hour standards of 150 micrograms per cubic meter; and
7. The sulfur dioxide primary 1-hour standard of 75 parts per billion.

IV. EPA's Evaluation of the Submittals

A. Maine

Maine's Chapter 110 was originally approved into the Maine SIP on January 30, 1980 (45 FR 6784). Several updates to the rule were also approved into the Maine SIP, the most recent of which occurred on March 22, 2004 (69 FR 13227). EPA has reviewed Maine's revised Chapter 110 and has determined that it is consistent with the NAAQS in 40 CFR Part 50, with the exception of EPA's latest revision to the $PM_{2.5}$ standard which occurred subsequent to Maine's adoption of the Chapter 110 revised rule.

In addition, Section 8 of Maine's Chapter 110, "Establishment of Ambient Increments," was revised to include ambient air increments for $PM_{2.5}$, as required under the Clean Air Act's Prevention of Significant Deterioration permit program. (The previously SIP-approved version of the rule included increments for PM_{10}, sulfur dioxide, and nitrogen dioxide which are also in the revised rule.) EPA has reviewed the maximum allowable increases Maine has established for $PM_{2.5}$ and determined that they are consistent with 40 CFR 51.166(c). Therefore, we are approving those $PM_{2.5}$ maximum allowable increases into Maine's SIP. In approving those maximum allowable increases, EPA is not taking action on, or making any determinations about, the way in which these maximum allowable increases relate to existing SIP provisions or recently amended provisions of Maine's Chapters 100 and 115 pertaining to the way in which "increment" is calculated or used in the PSD permit program.

In summary, Maine's revised Chapter 110 includes additional and more stringent air quality standards than the previous SIP-approved version of the rule. The revised rule also includes ambient air increments for $PM_{2.5}$ that were not included in the previous SIP-approved version of the rule. Thus, the revised Chapter 110 satisfies the anti-back sliding requirements in Section 110(l) of the CAA and we are approving Maine's revised rule into the Maine SIP.

Maine's Chapter 114 was originally approved into the Maine SIP on January 30, 1980 (45 FR 6874). Updates to the rule were also approved into the Maine SIP, the most recent of which occurred on August 30, 1995 (60 FR 45056). In the current SIP revision, Chapter 114 was revised to clarify that the Moosehorn Wilderness Area located in Moosehorn National Wildlife Refuge is a Class I area and the rule's prior reference to ozone nonattainment areas was deleted.

Maine's updates to Chapter 114 are appropriate. All of Maine was designated as unclassifiable/attainment for the 2008 ozone standard on May 21, 2012 (77 FR 30088). In addition, Maine's nonattainment areas for the 1997 ozone standard were redesignated to attainment on December 11, 2006 (71 FR 71489). See also 40 CFR 81.320. Furthermore, Maine's clarification that Moosehorn Wilderness Area located in Moosehorn National Wildlife Refuge is a Class I area is consistent with 40 CFR Part 81, Subpart D.

In summary, Maine's Chapter 114 revised rule includes updates that are consistent with the applicable sections of the Code of Federal Regulations and is no less stringent than the previous SIP-approved version of the rule. Therefore, Maine's revised Chapter 114 satisfies the anti-back sliding requirements in Section 110(l) of the CAA and we are approving Maine's revised rule into the Maine SIP.

B. New Hampshire

New Hampshire's Env-A 300, "Ambient Air Quality Standards," was originally approved into the New Hampshire SIP on March 15, 1983 (48 FR 10830). Updates to the rule were also approved into the New Hampshire SIP, the most recent of which occurred on August 19, 1994 (59 FR 42766). EPA has reviewed New Hampshire's revised Env-A 300 and has determined that it is consistent with the NAAQS in 40 CFR Part 50, with the exception of EPA's latest revision to the $PM_{2.5}$ standard which occurred subsequent to New Hampshire's adoption of the Env-A 300 revised rule.

New Hampshire's revised Env-A 300 includes additional and more stringent air quality standards than the previous SIP-approved version of the rule. Thus, the revised Chapter 110 satisfies the anti-back sliding requirements in Section 110(l) of the CAA and we are approving Maine's revised rule into the Maine SIP.

V. Final Action

EPA is approving, and incorporating into the Maine SIP, Maine's revised Chapter 110, "Ambient Air Quality Standards," submitted to EPA on August 21, 2012, and Maine's revised Chapter 114, "Classification of Air Quality Control Regions," submitted to EPA on August 31, 2012. EPA is also approving, and incorporating into the New Hampshire SIP, New Hampshire's revised Env-A 300, "Ambient Air Quality Standards," submitted to EPA on November 8, 2012.

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve these SIP revisions should relevant adverse comments be filed. This rule will be effective August 25, 2014 without further notice unless the Agency receives relevant adverse comments by July 24, 2014.

If the EPA receives such comments, then EPA will publish a notice withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on the proposed rule. All parties interested in commenting on the proposed rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on August 25, 2014 and no further action will be taken on the proposed rule. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

VI. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve

state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

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

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

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 25, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register,** rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

Dated: June 16, 2014.

H. Curtis Spalding,

Regional Administrator, EPA New England.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart U—Maine

■ 2. In § 52.1020, Table (c) "EPA-APPROVED MAINE REGULATIONS" is amended by revising existing entries for Chapter 110 and Chapter 114 to read as follows:

§ 52.1020 Identification of plan.

* * * * *

(c) *EPA approved regulations.*

EPA-APPROVED MAINE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date EPA approval date and citation [1]	Explanations
* *	*	*	* *	*
Chapter 110	Ambient Air Quality Standards	8/6/2012	6/24/14 [Insert **Federal Register** citation].	
* *	*	*	* *	*
Chapter 114	Classification of Air Quality Control Regions.	8/29/2012	6/24/14 [Insert **Federal Register** citation].	
* *	*	*	* *	*

* * * * *

Subpart EE—New Hampshire

■ 3. In § 52.1520, Table (c) "EPA-APPROVED NEW HAMPSHIRE REGULATIONS" is amended by revising the existing entry for Env-A 300 to read as follows:

§ 52.1520 Identification of plan.

* * * * *

(c) *EPA approved regulations.*

EPA-APPROVED NEW HAMPSHIRE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date [1]	Explanations
*	*	*	*	*
Env-A 300	Ambient Air Quality Standards. ...	9/1/2012	6/24/14 [Insert **Federal Register** page number where the document begins].	
*	*	*	*	*

* * * * *

[FR Doc. 2014–14531 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

48 CFR Parts 202 and 217

RIN 0750–AI23

Defense Federal Acquisition Regulation Supplement: Definition of "Congressional Defense Committees" (DFARS Case 2013–D027)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to clarify the meaning of the phrase "congressional defense committees."

DATES: Effective June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Ms. Lee Renna, telephone 571–372–6095.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is amending the DFARS to clarify the meaning of the phrase "congressional defense committees." Generally, when this phrase appears in the DFARS, it has the same meaning as set forth in 10 U.S.C. 101(a)(16), i.e., the Committee on Armed Services and the Committee on Appropriations, of the Senate and of the House. In DFARS 202.101, a new paragraph has been added, indicating that the definition for "congressional defense committees" is in accordance with 10 U.S.C. 101(a)(16), or as otherwise specified by statute for particular applications. The definition at 202.101 will no longer include the Subcommittees on Defense of the Committees on Appropriation, in keeping with the definition at 10 U.S.C. 101(a)(16).

There are instances, however, when this definition may be modified to reflect the unique requirements of a specific law. Such is the case at DFARS 217.103. At DFARS subpart 217.1, which pertains to multiyear contracting, the definition for "congressional defense committees" is derived from DoD annual appropriations acts. As such, a new definition has been added, which also encompasses the Subcommittees on Defense of the Committees on Appropriations for the Senate and House.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

"Publication of proposed regulations," 41 U.S.C. 1707, is the statute which applies to the publication of the Defense Federal Acquisition Regulation Supplement. Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure, or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment because it will not have a significant cost or administrative impact. These requirements affect only the internal operating procedures of the Government.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because this final rule does not constitute a significant DFARS revision within the meaning of FAR 1.501–1, and 41 U.S.C. 1707 does not require publication for public comment.

[1] In order to determing the EPA effective date for a specific provision listed in this table, consult the Federal Register notice cited in this column for the particular provision.

[1] In order to determine the EPA effective date for a specific provision listed in this table, consult the Federal Register notice cited in this column for the particular provision.

V. Paperwork Reduction Act

This rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 202 and 217

Government procurement.

Amy G. Williams,

Deputy, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 202 and 217 are amended as follows:

■ 1. The authority citation for 48 CFR parts 202 and 217 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 202—DEFINITIONS OF WORDS AND TERMS

■ 2. Amend section 202.101 by revising the definition of "congressional defense committees" to read as follows:

202.101 Definitions.

Congressional defense committees means—

(1) In accordance with 10 U.S.C. 101(a)(16), except as otherwise specified in paragraph (2) of this definition or as otherwise specified by statute for particular applications—

(i) The Committee on Armed Services of the Senate;

(ii) The Committee on Appropriations of the Senate;

(iii) The Committee on Armed Services of the House of Representatives; and

(iv) The Committee on Appropriations of the House of Representatives.

(2) For use in subpart 217.1, see the definition at 217.103.

* * * * *

PART 217—SPECIAL CONTRACTING METHODS

■ 3. Amend section 217.103 by adding, in alphabetical order, the definition for "congressional defense committees" to read as follows:

217.103 Definitions.

* * * * *

Congressional defense committees means—

(1) The Committee on Armed Services of the Senate;

(2) The Committee on Appropriations of the Senate;

(3) The Subcommittee on Defense of the Committee on Appropriations of the Senate;

(4) The Committee on Armed Services of the House of Representatives;

(5) The Committee on Appropriations of the House of Representatives; and

(6) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

* * * * *

[FR Doc. 2014–14585 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 237

RIN 0750–AI05

Defense Federal Acquisition Regulation Supplement: Private Sector Notification Requirements of In-Sourcing Actions (DFARS Case 2012–D036)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD has adopted as final, with changes, an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National Defense Authorization Act (NDAA) for Fiscal Year 2012 regarding private sector notification of in-sourcing actions.

DATES: Effective June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Ms. Janetta Brewer, telephone 571–372–6104.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published an interim rule in the **Federal Register** at 78 FR 65218 on October 31, 2013, to establish procedures for the timely notification of any contractor that performs a function that the Secretary plans to convert (in-source) to performance by DoD civilian employees and provide the congressional defense committees a copy of any such notification. One respondent submitted comments in response to the interim rule.

II. Discussion and Analysis

DoD reviewed the public comments in the development of the final rule. A discussion of the comments is provided below. No changes were made to the final rule based on the public comments; however, one editorial change is being made to clarify a reference.

A. Analysis of Public Comments

Comment: The respondent commented that, while the interim rule requires the contracting officer to notify an affected incumbent contractor about an in-sourcing decision within 20 business days of receiving the decision from the in-sourcing program official, the rule does not specifically address how soon DoD can commence the in-sourcing action after issuing the notice. The respondent stated the rule should require issuance of the in-sourcing notice in a reasonable amount of time prior to DoD's commencement of the in-sourcing action.

Response: No action was taken as a result of this comment. DoD guidance at DFARS 237.102–79 and in the memorandum at DFARS Procedures, Guidance and Information 237.102–79, reflects that the in-sourcing of contracted services falls into the following three categories of justification (1) inherently Governmental functions (2) work closely associated with inherently Governmental functions, critical in nature, and unauthorized personal services, and (3) cost-based in-sourcing decisions. The nature of the contracts in these three categories is such that it is essential for the Government to have the ability to take in-sourcing actions once notification is provided to affected incumbent contractors.

Comment: The respondent suggested including specific details of the rationale for the in-sourcing decision in the notice to the contractors to ensure meaningful insight about the rationale.

Response: No action was taken on this comment as DoD included language requiring that a summary of why the service is being insourced be included in the notice and therefore, as written, the rule fulfills the objective of transparency and accountability.

B. Other Changes

Editorial changes were made to clarify where the OASD memorandum "Private Sector Notification Requirements in Support of In Sourcing Actions," dated January 29, 2013, can be found in the DFARS Procedures Guidance and Information.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and

equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, and is summarized as follows:

This final rule amends DFARS 237.102–79 to implement section 938 of the National Defense Authorization Act (NDAA) for Fiscal Year 2012 regarding private sector notification of in-sourcing actions. Section 938 of the NDAA requires the Secretary of Defense to establish procedures for the timely notification of any contractor who performs a function that the Secretary plans to convert (in-source) to performance by DoD civilian employees and provide the congressional defense committees a copy of any such notification. The rule requires the contracting officer to notify an affected incumbent contractor about an in-sourcing decision within 20 business days of receiving the decision from the in-sourcing program official.

The public did not raise any issues in response to the initial regulatory flexibility analysis. This rule is not expected to have a significant economic impact on a substantial number of small entities. The final rule has very limited application and only potentially applies to entities that have contracts with DoD agencies performing services that fall into the following three categories for potential justification for in-sourcing: (1) Inherently Governmental functions (2) work closely associated with inherently Governmental functions, critical in nature, and unauthorized personal services, and (3) cost-based in-sourcing decisions. During the acquisition planning phase, requirements are scrutinized under FAR subpart 7.5 to preclude contract awards for inherently Governmental functions and unauthorized personal service contracts. Because of this prohibition and screening of requirements, it is expected that this rule will not have a significant impact on a substantial number of contracts evaluated under category (1) for inherently Governmental functions or under category (2) for unauthorized personal services. Effective March 2013, data fields were added to FPDS to capture award information for contract actions that are (1) critical functions, i.e. a function that is necessary to the agency being able to effectively perform and maintain control its mission and operations, and (2) functions closely associated with inherently Governmental functions. FPDS data was reviewed for a full one-year period (March 2013 through February 2014) for awards coded as critical functions or functions closely associated with inherently Governmental functions. The FPDS data reviewed reflected that only 7,786 contracts and task orders for critical functions or functions closely associated with inherently Governmental functions were awarded to small entities, compared to a total of 71,274 awards for other functions that were made to small entities during this same period. (The data reflect awards greater than the simplified action threshold of $150,000.) It is unknown as to how many of the 7,786 awards made to small entities may be evaluated and justified for future in-sourcing action. There is no FPDS data available to evaluate the potential universe of actions that might fall under the third category of cost-based in-sourcing decisions.

There are no projected reporting, recordkeeping, and other compliance requirements associated with this rule. The rule does not duplicate, overlap, or conflict with any other Federal rules. DoD was unable to identify any significant alternatives consistent with the stated objectives of the statute.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 237

Government procurement.

Amy G. Williams,

Deputy, Defense Acquisition Regulations System.

Accordingly, the interim rule amending 48 CFR part 237, which was published in the **Federal Register** at 78 FR 65218 on October 31, 2013, is adopted as a final rule with the following change:

PART 237—SERVICE CONTRACTING

■ 1. The authority citation for 48 CFR part 237 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Amend section 237.102–79 by revising the last sentence in the paragraph to read as follows:

237.102–79 Private sector notification requirements in support of in-sourcing actions.

* * * See the OASD (RFM) memorandum entitled "Private Sector Notification Requirements in Support of In-sourcing Actions," dated January 29, 2013, for further information, which is available at PGI 237.102–79.

[FR Doc. 2014–14584 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

Proposed Rules

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–0295; Airspace Docket No. 14–AGL–6]

RIN 2120–AA66

Proposed Modification, Revocation, and Establishment of Multiple Air Traffic Service (ATS) Routes; North Central and Northeast United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend, remove, and establish multiple jet routes, high altitude and low altitude Area Navigation (RNAV) routes (Q- and T-routes), and VHF Omnidirectional Range (VOR) Federal airways in the north central and northeast United States to reflect and accommodate route changes being made in Canadian airspace as part of Canada's Winsor-Toronto-Montreal (WTM) airspace redesign project. This action also would amend or remove ATS routes with minimal or no use.

DATES: Comments must be received on or before August 8, 2014.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M–30, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001; telephone: (202) 366–9826. You must identify FAA Docket No. FAA–2014–0295 and Airspace Docket No. 14–AGL–6 at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.*

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

SUPPLEMENTARY INFORMATION:

Comments Invited

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

Communications should identify both docket numbers (FAA Docket No. FAA–2014–0295 and Airspace Docket No. 14–AGL–6) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at *http://www.regulations.gov.*

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA–2014–0295 and Airspace Docket No. 14–AGL–6." The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, Operations Support Group, Federal Aviation Administration, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267–9677, for a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

NAV CANADA, which operates Canada's civil air navigation service, is continuing to implement various changes to Canada's instrument flight rules (IFR) navigation infrastructure to enhance the efficiency of operations by taking advantage of performance based navigation and modern avionic capabilities. The changes being implemented by NAV CANADA affect parts of the descriptions for certain U.S. jet routes and VOR Federal airways that extend into or through Canadian airspace. As a result, amendments are required to these routes so that they match the changes being made on the Canadian side of the border. Additionally, the FAA is transitioning from a legacy ground-based network of navigation aids to a network of ATS routes between major city pairs defined by RNAV waypoints to replace some of the current jet routes and VOR Federal airways. Changes to certain existing RNAV routes, as well as the establishment of new U.S. and Canadian RNAV routes within U.S. airspace, are required to accommodate expanding Canadian routes into U.S. airspace to further promote the safe and efficient management of aircraft operations across the U.S./Canadian border to major terminal airspace areas.

The Proposal

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to modify VOR Federal airways V–84, V–91, V–104, V–203, and V–423; modify jet routes J–16, J–29, J–43, J–53, J–61, J–78, J–82, J–91, J–94, J–95, J–106, J–109, J–145, J–220, J–547, and J–548; and modify RNAV routes Q–29, Q–39, Q–67, Q–69, Q–71, Q–138, Q–140, Q–438, and Q–440. In addition, this action would remove Air Traffic Service (ATS) routes V–337, J–38, J–63, J–185, J–488, J–500, J–509, J–522, J–524, J–531, J–545, J–552, J–559, J–560, J–564,

J–566, J–567, J–581, J–586, J–587, J–588, J–594, J–595, Q–501, Q–502, Q–504, and Q–505. Lastly, this action proposes to establish U.S. RNAV routes Q–82, Q–84, Q–103, and Q–145, and Canadian RNAV routes Q–806, Q–812, Q–816, Q–818, Q–822, Q–824, Q–844, Q–848, Q–905, Q–907, Q–913, Q–917, Q–923, Q–935, Q–937, Q–947, Q–951, T–608, T–616, and T–781. The proposed VOR Federal airway, jet route, and RNAV route establishments and amendments are necessary to support changes Canada initiated for routes into and out of the Winsor, Toronto, and Montreal areas within Canada; the FAA's expansion of RNAV routes within the National Airspace System (NAS); and safe and efficient across border connectivity.

The proposed VOR Federal airway modifications would remove route segments that extend to or into Canadian airspace and are outlined below.

V–84: The route segment from London, ON, Canada, to Buffalo, NY, would be removed.

V–91: The route segment from Burlington, VT, to the intersection of the Plattsburgh, NY, 348° and St. Jean, PQ, Canada, 226° radials would be removed.

V–104: The route segment from the intersection of the Ottawa, ON, Canada, 127° and Massena, NY, 300° radials to Burlington, VT, would be removed.

V–203: The route segment from Massena, NY, to the intersection of the Massena, NY, 047° and St. Jean, PQ, Canada, 270° radials would be removed.

V–423: The route segment from Syracuse, NY, to the intersection of the Watertown, NY, 018° and Massena, NY, 270° radials would be removed.

The proposed jet route modifications would remove route segments that extend to or into Canadian airspace and are outlined below.

J–16: The route segment east of London, ON, Canada, to Boston, MA, would be removed.

J–29: The route segment northeast of Pocket City, IN, to Halifax, Canada, would be removed.

J–43: The route segment north of Carleton, MI, to Sault Ste Marie, MI, would be removed.

J–53: The route segment north of Pulaski, VA, to Ellwood City, PA, would be removed.

J–61: The route segment northwest of Philipsburg, PA, to Buffalo, NY, would be removed.

J–78: The route segment east of Charleston, WV, to Milton, PA, would be removed.

J–82: The route segment east of Goshen, IN, to Albany, NY, would be removed.

J–91: The route segment north of Henderson, WV, to Bellaire, OH, would be removed.

J–94: The route segment east of London, ON, Canada, to Boston, MA, would be removed.

J–95: The route segment northwest of Binghamton, NY, to the intersection of the Buffalo, NY, 316° and Dunkirk, NY, 012° radials would be removed.

J–106: The route segment east of Gopher, MN, to Jamestown, NY, would be removed.

J–109: The route segment north of Linden, VA, to Buffalo, NY, would be removed.

J–145: The route segment north of Charleston, WV, to Ellwood City, PA, would be removed.

J–220: The route segment northwest of Stonyfork, PA, to Buffalo, NY, would be removed.

J–547: The route segment east of Flint, MI, to Kennebunk, ME, would be removed.

J–548: The route segment northeast of Traverse City, MI, to Timmins, ON, Canada, would be removed.

The proposed RNAV route modifications are outlined below.

Q–29: The route segment north of the SIDAE waypoint (WP) to Pocket City, IN, would be removed and the remaining route would be extended by over 1,000 nautical miles (NM) northeast to the DUVOK, Canada, WP to add connectivity to many northeastern airports and the North Atlantic routes.

Q–39: The route would be modified by moving the route termination point west approximately 5 NM from the TARCI, WV, fix to the WISTA, WV, WP to connect to the existing RNAV route structure and other RNAV routes proposed by this action. This modification would serve aircraft landing at the Port Columbus, OH, Cleveland, OH, and Detroit, MI, airports.

Q–67: The route segment northeast of the TONIO, KY, fix to Henderson, WV, would be removed and the remaining route would be extended north approximately 104 NM to the COLTZ, OH, fix to provide RNAV routing for Atlanta, GA, departures and Cleveland, OH, and Detroit, MI, arrivals.

Q–69: The route segment north of the EWESS, WV, WP to Elkins, WV, would be removed and the remaining route would be extended north to the RICCS, WV, fix to connect to other RNAV routes proposed by this action. This modification would continue supporting Charlotte, NC, departures to the Pittsburgh, PA; Buffalo, NY; and Toronto, ON, Canada, airports, as well as Toronto, ON, Canada, departures to Charlotte, NC.

Q–71: The route would be extended approximately 173 NM north to the Philipsburg, PA, VHF Omnidirectional Range Tactical Air Navigation (VORTAC) navigation aid (NAVAID) to support Atlanta, GA, departures to the northeast and overseas; Washington, DC, departures to the southwest; as well as overseas arrivals to Atlanta, GA, and New York, NY.

Q–138: The route segment east of the MOTLY, SD, WP to Aberdeen, SD, would be removed and the remaining route would be extended approximately 591 NM east to the Sault Ste Marie, MI, VOR/Distance Measuring Equipment (VOR/DME) NAVAID to support San Francisco, CA, departures to the Chicago, IL, New York, NY, Boston, MA, and Toronto, ON, Canada, airports. It would also support New York area departures to Portland, OR, Seattle, WA, and Northern California airports.

Q–140: The route would be extended approximately 683 NM east to the YODAA, NY, fix to support Seattle, WA, departures to New York, NY, and the New England area airports.

Q–438: The route would be modified by removing the Flint, MI, VORTAC from the route description.

Q–440: The route would be modified by removing the Flint, MI, VORTAC from the route description and extending the route approximately 384 NM west to begin at the HUFFR, MN, WP.

The proposed U.S. RNAV routes to be established are outlined below.

Q–82: The route would be established from the WWSHR, OH, WP to the PONCT, NY, WP to support aircraft departing New York and New England airports landing at Chicago, IL, airports and transiting southwest, as well as support aircraft transiting northeast bound landing in the New England area.

Q–84: The route would be established from the Jamestown, NY, VOR/DME to the Cambridge, NY, VOR/DME to support aircraft departing the New England area to the Chicago Midway, IL, and Cleveland, OH, airports.

Q–103: The route would be established from the Pulaski, VA, VORTAC to the AIRRA, PA, WP to tie into a new RNAV departure procedure being established for the Toronto Pearson International Airport, ON, Canada, and other RNAV routes proposed by this action for aircraft flying to Florida, Cuba, and South America airports.

Q–145: The route would be established from the KONGO, KY, fix to the FOXEE, PA, WP for aircraft departures from the Toronto Pearson International Airport, ON, Canada, and

from northeastern U.S. airports to Atlanta, GA, and Charlotte, NC, airports.

As noted above, this action proposes to accommodate the extension of nine existing Canadian high-altitude RNAV routes into and through U.S. airspace. The proposed Canadian RNAV route extensions that would be established within the NAS are outlined below.

Q–806: The route extension would be established from the MEKSO, Canada, WP east through U.S. airspace to the VOGET, Canada, WP to support Detroit, MI, arrivals from Montreal and Toronto, Canada, and overseas locations.

Q–824: The route extension would be established from the Flint, MI, VORTAC northeast into Canadian airspace to the TAGUM, Canada, WP to support Chicago O'Hare International Airport, IL, arrivals from the North Atlantic tracks

Q–844: The route extension would be established from the VIBRU, Canada, WP south to the Syracuse, NY, VORTAC to connect with other RNAV routes in the Syracuse, NY, area proposed by this action.

Q–848: The route extension would be established from the SLLAP, MI, WP east to the KARIT, Canada, WP and ultimately on to the LETAK, Canada, WP on Q–848 to support international flights to and from Europe and the Chicago, IL, and Detroit, MI, airports.

Q–905: The route extension would be established from the HOCKE, MI, WP northeast to the SIKBO, Canada, WP to support eastbound traffic to Montreal, Canada, and overseas airports.

Q–907: The route extension would be established from the POSTS, MI, fix northeast to the DERLO, Canada, WP and ultimately on to the AGNOB, Canada, WP on Q–907 and from the ADVIK, Canada, WP east through U.S. airspace to the MIILS, Canada, WP to support international departures from the Chicago O'Hare, IL, airport.

Q–913: The route extension would be established from the RAKAM, Canada, WP, which is being realigned to the DEDKI, Canada, WP on Q–913, northeast to the TOPPS, ME, fix to support across border connectivity to the U.S. ATS route structure northeast of Bangor, ME.

Q–947: The route extension would be established from the REVEN, ME, WP northeast to the DUVOK, Canada, WP to support Canada's WTM airspace redesign project.

Q–951: The route extension would be established from the POSTS, MI, fix northeast through Canadian and U.S. airspace to the PUXOP, Canada, WP, to support Canada's WTM airspace redesign project.

This action also proposes to establish eight new Canadian high-altitude RNAV routes. The new Canadian high-altitude RNAV routes proposed to be established within the NAS are outlined below.

Q–812: The route would be established from the TIMMR, ND, fix east through Canadian airspace to the GAYEL, NY, fix to support John F. Kennedy International Airport, NY, departure offloads and New York metropolitan area arrivals on a swap route basis.

Q–816: The route would be established from the HOCKE, MI, WP east through Canadian airspace to the HANAA, NY, WP to support westbound departures from Boston, MA, and other New England airports.

Q–818: The route would be established from the Flint, MI, VORTAC east through Canadian airspace to the GAYEL, NY, fix to also support westbound departures from New York area airports through Canadian airspace.

Q–822: The route would be established from the Flint, MI, VORTAC east through Canadian and U.S. airspace to the TANGU, Canada, WP to support Chicago O'Hare, IL, arrivals from the Halifax, Canada, and New England areas.

Q–917: The route would be established from Sault Ste Marie, MI, VOR/DME southeast through Canadian airspace to the WOZEE, NY, WP in the Buffalo, NY, area.

Q–923: The route would be established from the HOCKE, MI, WP northeast into Canadian airspace to the KARIT, Canada, WP to support Detroit, MI, international departures and arrivals.

Q–935: The route would be established from the MONEE, MI, fix east through Canadian airspace to the Boston, MA, VOR/DME.

Q–937: The route would be established from the TULEG, Canada, WP southeast into U.S. airspace to the GASSY, NY, fix extending into U.S. airspace west of Glens Falls, NY.

This action also proposes to establish three new Canadian low-altitude RNAV routes. The new Canadian low-altitude RNAV routes proposed to be established within the NAS are outlined below.

T–608: The route would be established from the WOZEE, NY, WP west through Canadian airspace to the HOCKE, MI, WP.

T–616: The route would be established from the Flint, MI, VORTAC east into Canadian airspace to the LEPOS, Canada, WP.

T–781: The route would be established from the Flint, MI, VORTAC east into Canadian airspace to the AXOBU, Canada, fix.

Finally, this action would remove VOR Federal airway V–337; jet routes J–38, J–63, J–185, J–488, J–500, J–509, J–522, J–524, J–531, J–545, J–552, J–559, J–560, J–564, J–566, J–567, J–581, J–586, J–587, J–588, J–594, J–595; and RNAV routes Q–501, Q–502, Q–504, and Q–505. These ATS routes are either not required in support of Canada's airspace redesign or the expansion of Canadian RNAV routes into U.S. airspace, have minimal or no documented use, or would be replaced by the new RNAV routes proposed.

The navigation aid radials cited in the proposed route descriptions, below, are unchanged from the existing routes and stated relative to True north.

Jet routes are published in paragraph 2004, high altitude United States RNAV routes are published in paragraph 2006, and domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The jet routes, high altitude United States RNAV routes (Q-routes), and VOR Federal airways listed in this document would be subsequently published in the Order. Additionally, this action would publish high altitude Canadian RNAV routes in paragraph 2007 (new) and low altitude Canadian RNAV routes in paragraph 6013 (new) of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1.

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. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that would only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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 would modify the route structure as necessary to preserve the safe and efficient flow of air traffic within the NAS.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "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 part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013 and effective September 15, 2013, is amended as follows:

Paragraph 2004 Jet routes

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J–16 (Amended)

From Battle Ground, WA; Pendleton, OR; Whitehall, MT; Billings, MT; Dupree, SD; Sioux Falls, SD; Mason City, IA; to Badger, WI.

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J–29 (Amended)

From INT of United States/Mexican Border and Corpus Christi, TX, 229° radial; Corpus Christi; Palacios, TX; Humble, TX; El Dorado, AR; Memphis, TN; to Pocket City, IN.

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J–38 (Removed)

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J–43 (Amended)

From Dolphin, FL; LaBelle, FL; St. Petersburg, FL; Seminole, FL; Atlanta, GA; Volunteer, TN; Falmouth, KY; Rosewood, OH; to Carleton, MI.

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J–53 (Amended)

From Dolphin, FL; INT Dolphin 354° and Pahokee, FL, 157° radials; Pahokee; INT Pahokee 342° and Orlando, FL, 162° radials; Orlando; Craig, FL; INT Craig 347° and Colliers, SC, 174° radials; Colliers; Spartanburg, SC; to Pulaski, VA.

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J–61 (Amended)

From INT Dixon NDB, NC, 023° and Nottingham, MD, 174° radials; Nottingham; Westminster, MD; to Philipsburg, PA.

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J–63 (Removed)

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J–78 (Amended)

From Los Angeles, CA; Seal Beach, CA; Thermal, CA; Parker, CA; Drake, AZ; Zuni, AZ; Albuquerque, NM; Tucumcari, NM; Panhandle, TX; Will Rogers, OK; Tulsa, OK; Farmington, MO; Pocket City, IN; Louisville, KY; to Charleston, WV.

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J–82 (Amended)

From Battle Ground, WA; Donnelly, ID; Dubois, ID; Crazy Woman, WY; Rapid City, SD; Sioux Falls, SD; Fort Dodge, IA; Dubuque, IA; INT Dubuque 095° and Joliet, IL, 317° radials; Joliet; to Goshen, IN.

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J–91 (Amended)

From INT Orlando, FL, 274° and Cross City, FL, 133° radials; Cross City; INT Cross City 338° and Atlanta, GA, 169° radials; Atlanta; Volunteer, TN; to Henderson, WV.

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J–94 (Amended)

From Oakland, CA; Manteca, CA; INT Manteca 047° and Mustang, NV, 208° radials; Mustang; Lovelock, NV; Battle Mountain, NV; Lucin, UT; Rock Springs, WY; Scottsbluff, NE; O'Neill, NE; Fort Dodge, IA; Dubuque, IA; Northbrook, IL; Pullman, MI; to Flint, MI.

J–95 (Amended)

From Deer Park, NY; INT Deer Park 308° and Binghamton, NY, 119° radials; to Binghamton.

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J–106 (Amended)

From Jamestown, NY; Wilkes-Barre, PA; Stillwater, NJ; to LaGuardia, NY.

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J–109 (Amended)

From Wilmington, NC; Flat Rock, VA; to Linden, VA.

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J–145 (Amended)

From Foothills, SC; to Charleston, WV.

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J–185 (Removed)

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J–220 (Amended)

From Armel, VA; INT Armel 001° and Stonyfork, PA, 181° radials; to Stonyfork.

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J–488 (Removed)

J–500 (Removed)

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J–509 (Removed)

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J–522 (Removed)

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J–524 (Removed)

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J–531 (Removed)

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J–545 (Removed)

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J–547 (Amended)

From Northbrook, IL; Pullman, MI; to Flint, MI.

J–548 (Amended)

From Pullman, MI; to Traverse City, MI.

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J–552 (Removed)

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J–559 (Removed)

J–560 (Removed)

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J–564 (Removed)

J–566 (Removed)

J–567 (Removed)

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J–581 (Removed)

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J–586 (Removed)

J–587 (Removed)

J–588 (Removed)

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J–594 (Removed)

J–595 (Removed)

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Paragraph 2006 United States Area Navigation Routes

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Q–29 HARES, LA to DUVOK, Canada (Amended)

HARES, LA	WP	(Lat. 33°00′00.00″ N., long. 091°44′00.00″ W.)
BAKRE, MS	WP	(Lat. 33°53′45.85″ N., long. 090°58′04.75″ W.)
Memphis, TN (MEM)	VORTAC	(Lat. 35°00′54.42″ N., long. 089°58′59.55″ W.)
OMDUE, TN	WP	(Lat. 36°07′47.32″ N., long. 088°58′11.49″ W.)
SIDAE, KY	WP	(Lat. 37°20′00.00″ N., long. 087°50′00.00″ W.)
CREEP, OH	FIX	(Lat. 39°55′15.28″ N., long. 084°18′31.41″ W.)
KLYNE, OH	WP	(Lat. 40°41′54.46″ N., long. 083°18′44.19″ W.)
DUTSH, OH	FIX	(Lat. 41°08′26.35″ N., long. 082°33′12.68″ W.)
WWSHR, OH	WP	(Lat. 41°20′34.09″ N., long. 082°03′05.76″ W.)
DORET, OH	FIX	(Lat. 41°48′05.90″ N., long. 080°35′04.64″ W.)
Jamestown, NY (JHW)	VOR/DME	(Lat. 42°11′18.99″ N., long. 079°07′16.70″ W.)
HANKK, NY	FIX	(Lat. 42°53′41.82″ N., long. 077°09′15.21″ W.)
GONZZ, NY	WP	(Lat. 43°05′22.00″ N., long. 076°41′12.00″ W.)
KRAZZ, NY	WP	(Lat. 43°25′00.00″ N., long. 074°18′00.00″ W.)
NIPPY, NY	FIX	(Lat. 43°41′23.08″ N., long. 073°58′06.74″ W.)
CABCI, VT	WP	(Lat. 44°49′19.94″ N., long. 071°42′55.14″ W.)
EBONY, ME	FIX	(Lat. 44°54′08.68″ N., long. 067°09′23.65″ W.)
DUNOM, ME	WP	(Lat. 44°54′06.95″ N., long. 067°00′00.00″ W.)
DUVOK, Canada	WP	(Lat. 44°55′37.33″ N., long. 065°17′11.66″ W.)

Excluding the portion within Canada

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Q–39 CLAWD, NC to WISTA, WV (Amended)

CLAWD, NC	WP	(Lat. 36°25′08.98″ N., long. 081°08′49.75″ W.)
WISTA, WV	WP	(Lat. 38°17′00.52″ N., long. 081°27′46.55″ W.)

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Q–67 SMTTH, TN to COLTZ, OH (Amended)

SMTTH, TN	WP	(Lat. 35°54′41.57″ N., long. 084°00′19.74″ W.)
CEMEX, KY	WP	(Lat. 36°45′44.94″ N., long. 083°23′33.58″ W.)
IBATE, KY	WP	(Lat. 36°59′12.36″ N., long. 083°13′40.36″ W.)
TONIO, KY	FIX	(Lat. 37°15′15.20″ N., long. 083°01′47.53″ W.)
JONEN, KY	WP	(Lat. 37°59′08.91″ N., long. 082°32′46.19″ W.)
COLTZ, OH	FIX	(Lat. 40°29′31.82″ N., long. 082°18′20.39″ W.)

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Q–69 BLANN, SC to RICCS, WV (Amended)

BLAAN, SC	WP	(Lat. 33°51′09.38″ N., long. 080°53′32.78″ W.)
RYCKI, NC	WP	(Lat. 36°24′43.05″ N., long. 080°25′07.50″ W.)
LUNDD, VA	WP	(Lat. 36°44′22.38″ N., long. 080°21′07.11″ W.)
ILLSA, VA	WP	(Lat. 37°38′55.85″ N., long. 080°13′18.44″ W.)
EWESS, WV	WP	(Lat. 38°21′50.31″ N., long. 080°06′52.03″ W.)
RICCS, WV	FIX	(Lat. 38°55′14.65″ N., long. 080°05′01.68″ W.)

HQ–71 BOBBD, TN to Philipsburg, PA (PSB) (Amended)

BOBBD, TN	WP	(Lat. 35°47′57.59″ N., long. 083°51′33.90″ W.)
ATUME, KY	WP	(Lat. 36°57′13.65″ N., long. 083°03′24.36″ W.)
HAPKI, KY	WP	(Lat. 37°04′55.73″ N., long. 082°51′02.62″ W.)
KONGO, KY	FIX	(Lat. 37°30′19.46″ N., long. 082°08′12.56″ W.)
WISTA, WV	WP	(Lat. 38°17′00.52″ N., long. 081°27′46.55″ W.)
GEFFS, WV	FIX	(Lat. 39°00′49.86″ N., long. 080°48′49.85″ W.)
EMNEM, WV	WP	(Lat. 39°31′27.12″ N., long. 080°04′28.21″ W.)
PSYKO, PA	WP	(Lat. 40°08′37.00″ N., long. 079°09′13.00″ W.)
Philipsburg, PA (PSB)	VORTAC	(Lat. 40°54′58.53″ N., long. 077°59′33.78″ W.)

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Q–82 WWSHR, OH to PONCT, NY (New)

WWSHR, OH	WP	(Lat. 41°20′34.09″ N., long. 082°03′05.76″ W.)
DORET, OH	FIX	(Lat. 41°48′05.90″ N., long. 080°35′04.64″ W.)
Jamestown, NY (JHW)	VOR/DME	(Lat. 42°11′18.99″ N., long. 079°07′16.70″ W.)
WAYLA, NY	FIX	(Lat. 42°20′58.54″ N., long. 077°48′57.18″ W.)
VIEEW, NY	FIX	(Lat. 42°26′22.07″ N., long. 077°01′33.30″ W.)
MEMMS, NY	FIX	(Lat. 42°30′59.71″ N., long. 076°18′15.43″ W.)
LOXXE, NY	FIX	(Lat. 42°34′29.55″ N., long. 075°43′33.49″ W.)
PONCT, NY	WP	(Lat. 42°44′50.20″ N., long. 073°48′11.50″ W.)

Q–84 Jamestown, NY (JHW) to Cambridge, NY (CAM) (New)

Jamestown, NY (JHW)	VOR/DME	(Lat. 42°11′18.99″ N., long. 079°07′16.70″ W.)
AUDIL, NY	FIX	(Lat. 42°52′18.74″ N., long. 076°26′35.07″ W.)

PUPPY, NY	FIX	(Lat. 43°03′26.46″ N., long. 075°17′39.29″ W.)
PAYGE, NY	FIX	(Lat. 43°00′50.48″ N., long. 074°15′12.76″ W.)
Cambridge, NY (CAM)	VOR/DME	(Lat. 42°59′39.40″ N., long. 073°20′38.50″ W.)

Q–103 Pulaski, VA (PSK) to AIRRA, PA (New)

Pulaski, VA (PSK)	VORTAC	(Lat. 37°05′15.74″ N., long. 080°42′46.44″ W.)
ASBUR, WV	FIX	(Lat. 37°49′24.41″ N., long. 080°27′51.44″ W.)
OAKLE, WV	FIX	(Lat. 38°07′13.80″ N., long. 080°21′44.84″ W.)
PERRI, WV	FIX	(Lat. 38°17′50.49″ N., long. 080°18′05.11″ W.)
PERKS, WV	FIX	(Lat. 38°39′40.84″ N., long. 080°10′29.36″ W.)
RICCS, WV	FIX	(Lat. 38°55′14.65″ N., long. 080°05′01.68″ W.)
EMNEM, WV	WP	(Lat. 39°31′27.12″ N., long. 080°04′28.21″ W.)
AIRRA, PA	WP	(Lat. 41°06′16.48″ N., long. 080°03′48.73″ W.)

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Q–138 Williams, CA (ILA) to Sault Ste Marie, MI (SSM) (Amended)

Williams, CA (ILA)	VORTAC	(Lat. 39°04′16.13″ N., long. 122°01′38.08″ W.)
FIMUV, CA	WP	(Lat. 39°49′05.18″ N., long. 120°11′16.65″ W.)
JENSA, NV	WP	(Lat. 40°11′36.00″ N., long. 119°13′27.00″ W.)
PUHGI, NV	WP	(Lat. 40°47′37.81″ N., long. 117°45′32.46″ W.)
ROOHZ, NV	WP	(Lat. 41°14′12.31″ N., long. 116°12′58.14″ W.)
PARZZ, NV	WP	(Lat. 41°36′14.64″ N., long. 115°02′09.69″ W.)
UROCO, WY	WP	(Lat. 42°51′52.20″ N., long. 110°50′25.10″ W.)
RICCO, WY	WP	(Lat. 43°48′29.14″ N., long. 107°02′30.21″ W.)
MOTLY, SD	WP	(Lat. 44°45′50.43″ N., long. 102°25′43.24″ W.)
DKOTA, SD	WP	(Lat. 45°22′17.00″ N., long. 097°37′27.00″ W.)
WELOK, MN	WP	(Lat. 45°41′26.32″ N., long. 094°15′28.74″ W.)
CESNA, WI	WP	(Lat. 45°52′14.00″ N., long. 092°10′59.00″ W.)
GUUME, WI	WP	(Lat. 45°55′07.51″ N., long. 091°40′55.80″ W.)
SNARG, WI	WP	(Lat. 45°58′52.00″ N., long. 091°02′16.00″ W.)
Sault Ste Marie, MI (SSM)	VOR/DME	(Lat. 46°24′43.60″ N., long. 084°18′53.54″ W.)

Q–140 WOBED, WA to YODAA, NY (Amended)

WOBED, WA	WP	(Lat. 48°36′01.07″ N., long. 122°49′46.52″ W.)
GETNG, WA	WP	(Lat. 48°25′30.57″ N., long. 119°31′38.98″ W.)
CORDU, ID	FIX	(Lat. 48°10′46.41″ N., long. 116°40′21.84″ W.)
PETIY, MT	WP	(Lat. 47°58′46.55″ N., long. 114°36′20.31″ W.)
CHOTE, MT	FIX	(Lat. 47°39′56.68″ N., long. 112°09′38.13″ W.)
LEWIT, MT	WP	(Lat. 47°23′00.21″ N., long. 110°08′44.78″ W.)
SAYOR, MT	FIX	(Lat. 47°13′58.34″ N., long. 104°58′39.28″ W.)
WILTN, ND	FIX	(Lat. 47°04′58.09″ N., long. 100°47′43.84″ W.)
TTAIL, MN	WP	(Lat. 46°41′28.00″ N., long. 096°41′09.00″ W.)
CESNA, WI	WP	(Lat. 45°52′14.00″ N., long. 092°10′59.00″ W.)
WISCN, WI	WP	(Lat. 45°18′19.45″ N., long. 089°27′53.91″ W.)
EEGEE, WI	WP	(Lat. 45°08′53.00″ N., long. 088°45′58.00″ W.)
DAYYY, MI	WP	(Lat. 44°10′10.00″ N., long. 084°22′23.00″ W.)
RUBKI, Canada	WP	(Lat. 44°14′56.00″ N., long. 082°15′25.99″ W.)
PEPLA, Canada	WP	(Lat. 43°47′51.00″ N., long. 080°01′02.00″ W.)
SIKBO, Canada	WP	(Lat. 43°39′13.00″ N., long. 079°20′57.00″ W.)
MEDAV, Canada	WP	(Lat. 43°29′19.00″ N., long. 078°45′46.00″ W.)
AHPAH, NY	WP	(Lat. 43°18′19.00″ N., long. 078°07′35.11″ W.)
HANKK, NY	FIX	(Lat. 42°53′41.82″ N., long. 077°09′15.21″ W.)
BEEPS, NY	FIX	(Lat. 42°49′13.26″ N., long. 076°59′04.84″ W.)
EXTOL, NY	FIX	(Lat. 42°39′27.69″ N., long. 076°37′06.10″ W.)
MEMMS, NY	FIX	(Lat. 42°30′59.71″ N., long. 076°18′15.43″ W.)
KODEY, NY	FIX	(Lat. 42°16′47.53″ N., long. 075°47′04.00″ W.)
ARKKK, NY	FIX	(Lat. 42°03′48.52″ N., long. 075°19′00.41″ W.)
RODYY, NY	WP	(Lat. 41°52′25.85″ N., long. 074°35′49.39″ W.)
YODAA, NY	FIX	(Lat. 41°43′21.19″ N., long. 074°01′52.76″ W.)

Excluding the airspace within Canada

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Q–145 KONGO, KY to FOXEE, PA (New)

KONGO, KY	FIX	(Lat. 37°30′19.46″ N., long. 082°08′12.56″ W.)
Charleston, WV (HVQ)	VORTAC	(Lat. 38°20′58.84″ N., long. 081°46′11.68″ W.)
CLNTN, OH	WP	(Lat. 39°34′02.19″ N., long. 081°14′31.33″ W.)
FOXEE, PA	WP	(Lat. 41°11′37.87″ N., long. 080°29′44.09″ W.)

Q–438 RUBYY, MI to RAAKK, NY (Amended)

RUBYY, MI	WP	(Lat. 43°01′03.79″ N., long. 084°35′16.22″ W.)
BERYS, MI	WP	(Lat. 42°54′33.97″ N., long. 083°17′59.75″ W.)
TWIGS, MI	WP	(Lat. 42°48′34.10″ N., long. 082°33′10.30″ W.)
JAAJA, Canada	WP	(Lat. 42°40′00.00″ N., long. 081°16′00.00″ W.)
ICHOL, Canada	WP	(Lat. 42°38′31.46″ N., long. 080°30′13.99″ W.)

FARGN, Canada	WP	(Lat. 42°36′42.19″ N., long. 079°47′18.42″ W.)
RAAKK, NY	WP	(Lat. 42°23′59.00″ N., long. 078°54′39.00″ W.)

Excluding the airspace within Canada

Q–440 HUFFR, MN to RAAKK, NY (Amended)

HUFFR, MN	WP	(Lat. 45°08′48.63″ N., long. 093°29′29.66″ W.)
IDIOM, WI	WP	(Lat. 44°30′18.00″ N., long. 088°17′57.00″ W.)
DEANI, MI	FIX	(Lat. 43°43′07.35″ N., long. 085°46′29.20″ W.)
SLLAP, MI	WP	(Lat. 43°27′00.30″ N., long. 084°56′19.79″ W.)
BERYS, MI	WP	(Lat. 42°54′33.97″ N., long. 083°17′59.75″ W.)
TWIGS, MI	WP	(Lat. 42°48′34.10″ N., long. 082°33′10.30″ W.)
JAAJA, Canada	WP	(Lat. 42°40′00.00″ N., long. 081°16′00.00″ W.)
ICHOL, Canada	WP	(Lat. 42°38′31.46″ N., long. 080°30′13.99″ W.)
FARGN, Canada	WP	(Lat. 42°36′42.19″ N., long. 079°47′18.42″ W.)
RAAKK, NY	WP	(Lat. 42°23′59.00″ N., long. 078°54′39.00″ W.)

Excluding the airspace within Canada

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Q–501 (Removed)

Q–502 (Removed)

Q–504 (Removed)

Q–505 (Removed)

Paragraph 2007 Canadian Area Navigation Routes (New)

Q–806 MEKSO, Canada to VOGET, Canada (New)

MEKSO, Canada	WP	(Lat. 45°47′21.10″ N., long. 070°25′37.90″ W.)
Millinocket, ME (MLT)	VOR/DME	(Lat. 45°35′12.20″ N., long. 068°30′55.70″ W.)
CANME, ME	WP	(Lat. 45°29′16.29″ N., long. 067°37′16.80″ W.)
VOGET, Canada	WP	(Lat. 45°00′34.00″ N., long. 063°58′32.00″ W.)

Excluding the airspace within Canada

Q–812 TIMMR, ND to GAYEL, NY (New)

TIMMR, ND	FIX	(Lat. 46°22′49.49″ N., long. 100°54′29.80″ W.)
WELOK, MN	WP	(Lat. 45°41′26.32″ N., long. 094°15′28.74″ W.)
CEWDA, WI	WP	(Lat. 44°48′32.00″ N., long. 088°33′00.00″ W.)
ZOHAN, MI	WP	(Lat. 43°55′57.00″ N., long. 084°23′09.00″ W.)
NOSIK, Canada	WP	(Lat. 43°59′00.00″ N., long. 082°11′52.30″ W.)
AGDOX, Canada	WP	(Lat. 43°17′01.71″ N., long. 079°05′29.29″ W.)
KELTI, NY	WP	(Lat. 43°16′57.00″ N., long. 078°56′00.00″ W.)
AHPAH, NY	WP	(Lat. 43°18′19.00″ N., long. 078°07′35.11″ W.)
GOATR, NY	WP	(Lat. 43°17′26.08″ N., long. 076°39′07.75″ W.)
Syracuse, NY (SYR)	VORTAC	(Lat. 43°09′37.87″ N., long. 076°12′16.41″ W.)
FABEN, NY	FIX	(Lat. 42°51′12.04″ N., long. 075°57′07.91″ W.)
LOXXE, NY	FIX	(Lat. 42°34′29.55″ N., long. 075°43′33.49″ W.)
ARKKK, NY	FIX	(Lat. 42°03′48.52″ N., long. 075°19′00.41″ W.)
STOMP, NY	FIX	(Lat. 41°35′46.78″ N., long. 074°47′47.79″ W.)
MSLIN, NY	FIX	(Lat. 41°29′30.82″ N., long. 074°33′14.28″ W.)
GAYEL, NY	FIX	(Lat. 41°24′24.09″ N., long. 074°21′25.75″ W.)

Excluding the airspace within Canada

Q–816 HOCKE, MI to HANAA, NY (New)

HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)
OMRAK, Canada	WP	(Lat. 43°16′06.00″ N., long. 082°16′25.00″ W.)
AGDOX, Canada	WP	(Lat. 43°17′01.71″ N., long. 079°05′29.29″ W.)
KELTI, NY	WP	(Lat. 43°16′57.00″ N., long. 078°56′00.00″ W.)
AHPAH, NY	WP	(Lat. 43°18′19.00″ N., long. 078°07′35.11″ W.)
GOATR, NY	WP	(Lat. 43°17′26.08″ N., long. 076°39′07.75″ W.)
ARNII, NY	WP	(Lat. 43°14′59.92″ N., long. 074°20′00.14″ W.)
HANAA, NY	WP	(Lat. 43°11′52.06″ N., long. 073°36′46.17″ W.)

Excluding the airspace within Canada

Q–818 Flint, MI (FNT) to GAYEL, NY (New)

Flint, MI (FNT)	VORTAC	(Lat. 42°58′00.38″ N., long. 083°44′49.08″ W.)
TANKO, Canada	WP	(Lat. 43°01′32.00″ N., long. 082°22′43.00″ W.)
KITOK, Canada	WP	(Lat. 43°02′30.00″ N., long. 081°55′34.00″ W.)
DERLO, Canada	WP	(Lat. 43°03′59.00″ N., long. 081°05′43.00″ W.)
IKNAV, Canada	WP	(Lat. 42°57′43.00″ N., long. 078°59′04.00″ W.)
WOZEE, NY	WP	(Lat. 42°56′01.65″ N., long. 078°44′19.64″ W.)
KELIE, NY	FIX	(Lat. 42°39′37.32″ N., long. 077°44′41.05″ W.)
VIEEW, NY	FIX	(Lat. 42°26′22.07″ N., long. 077°01′33.30″ W.)

Excluding the airspace within Canada

Binghampton, NY (CFB)	VORTAC	(Lat. 42°09′26.96″ N., long. 076°08′11.30″ W.)
BUFFY, PA	FIX	(Lat. 41°56′27.98″ N., long. 075°36′45.35″ W.)
STOMP, NY	FIX	(Lat. 41°35′46.78″ N., long. 074°47′47.79″ W.)

MSLIN, NY	FIX	(Lat. 41°29′30.82″ N., long. 074°33′14.28″ W.)
GAYEL, NY	FIX	(Lat. 41°24′24.09″ N., long. 074°21′25.75″ W.)

Excluding the airspace within Canada

Q–822 Flint, MI (FNT) to TANGU, Canada (New)

Flint, MI (FNT)	VORTAC	(Lat. 42°58′00.38″ N., long. 083°44′49.08″ W.)
TANKO, Canada	WP	(Lat. 43°01′32.00″ N., long. 082°22′43.00″ W.)
KITOK, Canada	WP	(Lat. 43°02′30.00″ N., long. 081°55′34.00″ W.)
DERLO, Canada	WP	(Lat. 43°03′59.00″ N., long. 081°05′43.00″ W.)
HOZIR, NY	WP	(Lat. 43°06′03.59″ N., long. 079°02′05.27″ W.)
GONZZ, NY	WP	(Lat. 43°05′22.00″ N., long. 076°41′12.00″ W.)
PUPPY, NY	FIX	(Lat. 43°03′26.46″ N., long. 075°17′39.29″ W.)
PAYGE, NY	IX	(Lat. 43°00′50.48″ N., long. 074°15′12.76″ W.)
Cambridge, NY (CAM)	VOR/DME	(Lat. 42°59′39.44″ N., long. 073°20′38.47″ W.)
Kennebunk, ME (ENE)	VOR/DME	(Lat. 43°25′32.42″ N., long. 070°36′48.69″ W.)
AJJAY, ME	WP	(Lat. 43°43′40.55″ N., long. 069°36′08.22″ W.)
ALLEX, ME	WP	(Lat. 44°25′00.00″ N., long. 067°00′00.00″ W.)
TANGU, Canada	WP	(Lat. 44°50′58.00″ N., long. 063°58′43.00″ W.)

Excluding the airspace within Canada

Q–824 Flint, MI (FNT) to TAGUM, Canada (New)

Flint, MI (FNT)	VORTAC	(Lat. 42°58′00.38″ N., long. 083°44′49.08″ W.)
HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)
TAGUM, Canada	WP	(Lat. 43°28′47.00″ N., long. 082°10′37.00″ W.)

Excluding the airspace within Canada

Q–844 VIBRU, Canada to Syracuse, NY (SYR) (New)

VIBRU, Canada	WP	(Lat. 44°20′54.20″ N., long. 076°01′16.10″ W.)
Syracuse, NY (SYR)	VORTAC	(Lat. 43°09′37.87″ N., long. 076°12′16.41″ W.)

Excluding the airspace within Canada

Q–848 SLLAP, MI to KARIT, Canada (New)

SLLAP, MI	WP	(Lat. 43°27′00.30″ N., long. 084°56′19.79″ W.)
HHIPP, MI	WP	(Lat. 43°40′33.00″ N., long. 082°48′58.00″ W.)
KARIT, Canada	WP	(Lat. 43°43′23.00″ N., long. 082°08′40.00″ W.)

Excluding the airspace within Canada

Q–905 HOCKE, MI to SIKBO, Canada (New)

HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)
SIKBO, Canada	WP	(Lat. 43°39′13.00″ N., long. 079°20′57.00″ W.)

Excluding the airspace within Canada

Q–907 POSTS, MI to MIILS, Canada (New)

POSTS, MI	FIX	(Lat. 42°18′00.00″ N., long. 085°02′00.00″ W.)
PADDE, MI	WP	(Lat. 42°17′09.00″ N., long. 084°28′28.00″ W.)
Salem, MI (SVM)	VORTAC	(Lat. 42°24′31.09″ N., long. 083°35′38.05″ W.)
DERLO, Canada	WP	(Lat. 43°03′59.00″ N., long. 081°05′43.00″ W.)
SIKBO, Canada	WP	(Lat. 43°39′13.00″ N., long. 079°20′57.00″ W.)
AGNOB, Canada	FIX	(Lat. 44°12′03.30″ N., long. 077°30′07.20″ W.)
LORKA, Canada	FIX	(Lat. 44°46′08.70″ N., long. 076°12′59.90″ W.)
ATENE, ME	FIX	(Lat. 46°14′04.20″ N., long. 070°16′21.00″ W.)
MIILS, Canada	WP	(Lat. 46°52′42.00″ N., long. 067°02′09.00″ W.)

Excluding the airspace within Canada

Q–913 RAKAM, Canada to TOPPS, ME (New)

RAKAM, Canada	WP	(Lat. 44°01′15.05″ N., long. 076°29′44.15″ W.)
CABCI, VT	WP	(Lat. 44°49′19.94″ N., long. 071°42′55.14″ W.)
TOPPS, ME	FIX	(Lat. 45°20′24.65″ N., long. 067°44′19.11″ W.)

Excluding the airspace within Canada

Q–917 Sault Ste Marie, MI (SSM) to WOZEE, NY (New)

Sault Ste Marie, MI (SSM)	VOR/DME	(Lat. 46°24′43.60″ N., long. 084°18′53.54″ W.)
ULUTO, Canada	WP	(Lat. 46°18′16.00″ N., long. 084°05′41.00″ W.)
VIGLO, Canada	WP	(Lat. 45°23′28.00″ N., long. 082°25′11.00″ W.)
SASUT, Canada	WP	(Lat. 44°39′59.00″ N., long. 081°17′47.00″ W.)
PEPLA, Canada	WP	(Lat. 43°47′51.00″ N., long. 080°01′02.00″ W.)
HOZIR, NY	WP	(Lat. 43°06′03.59″ N., long. 079°02′05.27″ W.)
WOZEE, NY	WP	(Lat. 42°56′01.65″ N., long. 078°44′19.64″ W.)

Excluding the airspace within Canada

Q–923 HOCKE, MI to KARIT, Canada (New)

HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)
KARIT, Canada	WP	(Lat. 43°43′23.00″ N., long. 082°08′40.00″ W.)

Excluding the airspace within Canada

Q–935 MONEE, MI to Boston, MA (BOS) (New)

MONEE, MI	FIX	(Lat. 43°14′25.80″ N., long. 084°27′50.95″ W.)
HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)
OMRAK, Canada	WP	(Lat. 43°16′06.00″ N., long. 082°16′25.00″ W.)
DERLO, Canada	WP	(Lat. 43°03′59.00″ N., long. 081°05′43.00″ W.)

IKNAV, Canada	WP	(Lat. 42°57′43.00″ N., long. 078°59′04.00″ W.)
WOZEE, NY	WP	(Lat. 42°56′01.65″ N., long. 078°44′19.64″ W.)
HANKK, NY	FIX	(Lat. 42°53′41.82″ N., long. 077°09′15.21″ W.)
JOSSY, NY	FIX	(Lat. 42°53′29.93″ N., long. 077°02′36.80″ W.)
AUDIL, NY	FIX	(Lat. 42°52′18.74″ N., long. 076°26′35.07″ W.)
FABEN, NY	FIX	(Lat. 42°51′12.04″ N., long. 075°57′07.91″ W.)
PONCT, NY	WP	(Lat. 42°44′50.20″ N., long. 073°48′11.50″ W.)
Gardner, MA (GDM)	VOR/DME	(Lat. 42°32′45.32″ N., long. 072°03′29.48″ W.)
Boston, MA (BOS)	VOR/DME	(Lat. 42°21′26.82″ N., long. 070°59′22.37″ W.)

Excluding the airspace within Canada

Q–937 TULEG, Canada to GASSY, NY (New)

TULEG, Canada	FIX	(Lat. 43°43′54.84″ N., long. 076°43′09.82″ W.)
WAYGO, NY	WP	(Lat. 43°25′00.00″ N., long. 075°55′00.00″ W.)
GASSY, NY	FIX	(Lat. 43°24′53.26″ N., long. 073°57′50.84″ W.)

Excluding the airspace within Canada

Q–947 OMIXI, Canada to DUVOK, Canada (New)

OMIXI, Canada	WP	(Lat. 45°25′56.00″ N., long. 072°39′29.00″ W.)
REVEN, ME	WP	(Lat. 45°33′09.70″ N., long. 070°42′01.90″ W.)
TOPPS, ME	FIX	(Lat. 45°20′24.65″ N., long. 067°44′19.11″ W.)
CUZWA, ME	WP	(Lat. 45°17′48.49″ N., long. 067°27′58.22″ W.)
DUVOK, Canada	WP	(Lat. 44°55′37.33″ N., long. 065°17′11.66″ W.)

Excluding the airspace within Canada

Q–951 POSTS, MI to PUXOP, Canada (New)

POSTS, MI	FIX	(Lat. 42°18′00.00″ N., long. 085°02′00.00″ W.)
PADDE, MI	WP	(Lat. 42°17′09.00″ N., long. 084°28′28.00″ W.)
Salem, MI (SVM)	VORTAC	(Lat. 42°24′31.09″ N., long. 083°35′38.05″ W.)
DERLO, Canada	WP	(Lat. 43°03′59.00″ N., long. 081°05′43.00″ W.)
SIKBO, Canada	WP	(Lat. 43°39′13.00″ N., long. 079°20′57.00″ W.)
SANIN, Canada	WP	(Lat. 44°04′41.00″ N., long. 077°25′55.00″ W.)
OLABA, Canada	WP	(Lat. 44°28′35.00″ N., long. 076°12′12.00″ W.)
ALONI, Canada	WP	(Lat. 44°38′54.00″ N., long. 075°39′10.00″ W.)
DAVDA, NY	WP	(Lat. 44°43′27.00″ N., long. 075°22′28.20″ W.)
SAVAL, NY	WP	(Lat. 44°54′15.00″ N., long. 074°42′01.20″ W.)
TALNO, NY	WP	(Lat. 45°00′02.00″ N., long. 074°19′52.00″ W.)
RABIK, Canada	WP	(Lat. 45°17′56.00″ N., long. 072°36′37.00″ W.)
ANTOV, Canada	WP	(Lat. 45°22′35.00″ N., long. 071°02′15.00″ W.)
DANOL, ME	FIX	(Lat. 45°41′54.22″ N., long. 067°47′16.00″ W.)
PUXOP, Canada	WP	(Lat. 45°56′41.00″ N., long. 066°26′24.00″ W.)

Excluding the airspace within Canada

Paragraph 6010(a) Domestic VOR Federal Airways

* * * * *

V–84 (Amended)

From Northbrook, IL; Pullman, MI; Lansing, MI; to Flint, MI. From Buffalo, NY; Genese, NY; INT Geneseo 091° and Syracuse, NY, 240° radials; to Syracuse.

* * * * *

V–91 (Amended)

From INT Calverton, NY, 180° and Hampton, NY, 223° radials; Calverton; Bridgeport, CT; Albany, NY; Glens Falls, NY; INT Glens Falls 032° and Burlington, VT, 187° radials; to Burlington.

* * * * *

V–104 (Amended)

From Burlington, VT; Montpelier, VT; Berlin, NH; to Bangor, ME.

* * * * *

V–203 (Amended)

From INT Chester, MA, 266° and Albany, NY, 134° radials; Albany; Saranac Lake, NY; to Massena, NY.

* * * * *

V–337 (Removed)

* * * * *

V–423 (Amended)

From Williamsport, PA; Binghamton, NY; Ithaca, NY; to Syracuse, NY.

* * * * *

Paragraph 6013 Canadian Area Navigation Routes (New)

T–608 WOZEE, NY to HOCKE, MI (New)

WOZEE, NY	WP	(Lat. 42°56′01.65″ N., long. 078°44′19.64″ W.)
BIMRO, Canada	WP	(Lat. 43°01′41.00″ N., long. 080°19′00.00″ W.)
DERLO, Canada	WP	(Lat. 43°03′59.00″ N., long. 081°05′43.00″ W.)
HAVOK, Canada	WP	(Lat. 43°01′15.00″ N., long. 081°36′12.00″ W.)
BOSEP, Canada	WP	(Lat. 43°06′16.00″ N., long. 082°00′30.00″ W.)
KATNO, Canada	WP	(Lat. 43°10′34.00″ N., long. 082°19′32.00″ W.)
HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)

Excluding the airspace within Canada

T–616 Flint, MI (FNT) to LEPOS, Canada (New)

Flint, MI (FNT)	VORTAC	(Lat. 42°58′00.40″ N., long. 083°44′49.10″ W.)
URSSA, MI	WP	(Lat. 43°02′46.48″ N., long. 083°28′20.09″ W.)
HOCKE, MI	WP	(Lat. 43°15′43.38″ N., long. 082°42′38.27″ W.)
LEPOS, Canada	WP	(Lat. 43°35′01.00″ N., long. 081°38′48.00″ W.)

Excluding the airspace within Canada

T–781 Flint, MI (FNT) to AXOBU, Canada (New)

Flint, MI (FNT)	VORTAC	(Lat. 42°58′00.40″ N., long. 083°44′49.10″ W.)
KATTY, MI	WP	(Lat. 42°57′50.59″ N., long. 083°30′50.76″ W.)
HANKY, MI	FIX	(Lat. 42°57′43.51″ N., long. 083°21′59.93″ W.)
ADRIE, MI	FIX	(Lat. 42°57′29.80″ N., long. 083°06′49.84″ W.)
MARGN, MI	FIX	(Lat. 42°56′59.18″ N., long. 082°38′49.14″ W.)
BLUEZ, MI	FIX	(Lat. 42°56′49.98″ N., long. 082°31′36.44″ W.)
AXOBU, Canada	FIX	(Lat. 42°56′39.50″ N., long. 082°23′42.30″ W.)

Excluding the airspace within Canada

Issued in Washington, DC, on June 17, 2014.

Gary A. Norek,

Manager, Airspace Policy & Regulations Group.

[FR Doc. 2014–14759 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 1100, 1140, and 1143

[Docket No. FDA–2014–N–0189]

RIN 0910–AG38

Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Regulations on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending the comment period for a proposed rule that appeared in the **Federal Register** of April 25, 2014. In the proposed rule, FDA requested comments, including comments on FDA's proposed options for regulation of cigars, regulatory approach to electronic cigarettes and other non-combustible tobacco products, pathways to market for proposed deemed tobacco products, and compliance dates for certain provisions, among other issues. The Agency is taking this action in response to requests for an extension to allow interested persons additional time to submit comments.

DATES: FDA is extending the comment period on the proposed rule that appeared in the **Federal Register** of April 25, 2014 (79 FR 23141). Submit either electronic or written comments by August 8, 2014.

ADDRESSES: You may submit comments, identified by Agency name, Docket No. FDA–2014–N–0189, and/or Regulatory Information Number (RIN) 0910–AG38, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Written Submissions

Submit written submissions in the following ways:

- *Mail/Hand Delivery/Courier (for paper submissions):* Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the Agency name, Docket No. FDA–2014–N–0189, and RIN 0910–AG38 for this rulemaking. All comments received may be posted without change to *http://www.regulations.gov,* including any personal information provided. For additional information on submitting comments, see the "Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to *http://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 Division of Dockets Management, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Gerie Voss, Center for Tobacco Products, Food and Drug Administration, Document Control Center, Bldg. 71, Rm. G335, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 877–287–1373, *CTPRegulations@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of April 25, 2014 (79 FR 23141), FDA published a proposed rule with a 75-day comment period (ending July 9, 2014) to request comments, including comments on FDA's proposed options for regulation of cigars, regulatory approach to electronic cigarettes and other non-combustible tobacco products, pathways to market for proposed deemed tobacco products, and compliance dates for certain provisions, among other issues.

The Agency has received multiple requests to extend the comment period for the proposed rule including over 2,000 form letters as part of a write-in campaign to request additional time to comment. The requests conveyed concern that the current 75-day comment period does not allow sufficient time to develop a meaningful or thoughtful response to questions raised in the proposed rule. FDA has also received comments opposing an extension of the current comment period on the grounds that ample time has been given to comment on the issues raised in the proposed rule.

FDA has considered the requests and is extending the comment period for the proposed rule for an additional 30 days, until August 8, 2014. The Agency believes that a 30-day extension allows adequate time for interested persons to submit comments without significantly delaying rulemaking on these important issues.

II. Request for Comments

A. General Information About Submitting Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the Agency name, Docket No. FDA–2014–N–0189, and RIN 0910–AG38.

B. Public Availability of Comments

Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.* As a matter of Agency practice, FDA generally does not post comments submitted by individuals in their individual capacity on *http://www.regulations.gov.* This is determined by information indicating that the submission is written by an

individual, for example, the comment is identified with the category "Individual Consumer" under the field titled "Category (Required)," on the "Your Information" page on *http://www.regulations.gov.* For this proposed rule, however, FDA will not be following this general practice. Instead, FDA will post on *http://www.regulations.gov* comments to this docket that have been submitted by individuals in their individual capacity. If you wish to submit any information under a claim of confidentiality, please refer to 21 CFR 10.20.

C. Information Identifying the Person Submitting the Comment

Please note that your name, contact information, and other information identifying you will be posted on *http://www.regulations.gov* if you include that information in the body of your comments. For electronic comments submitted to *http://www.regulations.gov,* FDA will post the body of your comment on *http://www.regulations.gov* along with your state/province and country (if provided), the name of your representative (if any), and the category identifying you (e.g., individual, consumer, academic, industry). For written submissions submitted to the Division of Dockets Management, FDA will post the body of your comments on *http://www.regulations.gov,* but you can put your name and/or contact information on a separate cover sheet and not in the body of your comments.

Dated: June 18, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–14562 Filed 6–20–14; 4:15 pm]

BILLING CODE 4160–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2012–0733, EPA–R01–OAR–2012–0935; A–1–FRL–9911–50–Region–1]

Approval and Promulgation of Air Quality Implementation Plans; Maine and New Hampshire; Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the States of Maine and New Hampshire. The revisions primarily update state regulations containing ambient air quality standards (AAQS) consistent with EPA's national ambient air quality standards (NAAQS). The intended effect of this action is to approve these requirements into the Maine and New Hampshire SIPs. This action is being taken in accordance with the Clean Air Act (CAA).

DATES: Written comments must be received on or before July 24, 2014.

ADDRESSES: Submit your comments identified by Docket ID Number EPA–R01–OAR–2012–0733 for comments pertaining to our action for Maine, or EPA–R01–OAR–2012–0935 for comments pertaining to our action for New Hampshire, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: arnold.anne@epa.gov.*
3. *Fax:* (617) 918–0047
4. *Mail:* "Docket Identification Number EPA–R01–OAR–2012–0733 or EPA–R01–OAR–2012–0935," Anne Arnold, Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912.
5. *Hand Delivery or Courier.* Deliver your comments to: Anne Arnold, Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Please see the direct final rule which is located in the Rules Section of this **Federal Register** for detailed instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: David Mackintosh, Air Quality Planning Unit, U.S. Environmental Protection Agency, New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05–02), Boston, MA 02109–3912, telephone 617–918–1584, facsimile 617–918–0584, email *mackintosh.david@epa.gov.*

SUPPLEMENTARY INFORMATION: In the Final Rules Section of this **Federal Register,** EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register.**

Dated: June 16, 2014.

H. Curtis Spalding,

Regional Administrator, EPA New England.

[FR Doc. 2014–14532 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

33 CFR Part 328

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 110, 112 116, 117, 122, 230, 232, 300, 302, and 401

[EPA–HQ–OW–2011–0880; FRL–9912–78–OW]

RIN 2040–AF30

Definition of "Waters of the United States" Under the Clean Water Act; Extension of Comment Period

AGENCIES: U.S. Army Corps of Engineers (Corps), Department of the Army, Department of Defense; and Environmental Protection Agency (EPA).

ACTION: Proposed rule; Extension of Comment Period.

SUMMARY: The U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) are extending the comment period for the proposed rule "Definition of 'Waters of the United States' Under the Clean

Water Act" published on April 21, 2014 (79 FR 22188). The agencies are extending the comment period in response to stakeholder requests for an extension.

DATES: Comments must be received on or before October 20, 2014. The comment period was originally scheduled to end on July 21, 2014.

ADDRESSES: Submit your comments, identified by Docket identification (ID) No. EPA–HQ–OW–2011–0880, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Email: ow-docket@epa.gov.*
- *Mail:* Water Docket, Environmental Protection Agency, Mail Code 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460. Attention: Docket ID No. EPA–HQ–OW–2011–0880.
- *Hand Delivery:* EPA Docket Center, EPA West Room 3334, 1301 Constitution Ave. NW., Washington, DC 20004, Attention: Docket ID No. EPA–HQ–OW–2011–0880. Such deliveries are only accepted during the Docket Center's normal hours of operation. Special arrangements should be made for deliveries of boxed information by calling 202–566–2426.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OW–2011–0880. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or email. The *http://www.regulations.gov* Web site is an "anonymous access" system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *www.regulations.gov* 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. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disc you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA's public docket visit the Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.*

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available (e.g., CBI or other information whose disclosure is restricted by statute). Certain other materials, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy at the Office of Water Docket Center, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744; the telephone number for the Office of Water Docket Center is (202) 566–2426.

FOR FURTHER INFORMATION CONTACT: Ms. Donna Downing, Office of Water (4502–T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number 202–566–2428; email address: *CWAwaters@epa.gov.* Ms. Stacey Jensen, Regulatory Community of Practice (CECW–CO–R), U.S. Army Corps of Engineers, 441 G Street NW., Washington, DC 20314; telephone number 202–761–5856; email address: *USACE_CWA_Rule@usace.army.mil.*

Dated: June 13, 2014.

Nancy K. Stoner,

Acting Assistant Administrator for Water, Environmental Protection Agency.

Dated: June 16, 2014.

Jo-Ellen Darcy,

Assistant Secretary of the Army (Civil Works), Department of the Army.

[FR Doc. 2014–14674 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 212, 225, and 252

RIN 0750–AI31

Defense Federal Acquisition Regulation Supplement: Defense Contractors Performing Private Security Functions (DFARS Case 2014–D008)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to address DoD-unique requirements for defense contractors performing private security functions outside the United States.

DATES: *Comment date:* Comments on the proposed rule should be submitted in writing to the address shown below on or before August 25, 2014, to be considered in the formation of a final rule.

ADDRESSES: Submit comments identified by DFARS Case 2014–D008, using any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by entering "DFARS Case 2012–D008" under the heading "Enter keyword or ID" and selecting "Search." Select the link "Submit a Comment" that corresponds with "DFARS Case 2014–D008." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "DFARS Case 2014–D008" on your attached document.
- *Email: osd.dfars@mail.mil.* Include DFARS Case 2014–D008 in the subject line of the message.
- *Fax:* 571–372–6094.
- *Mail:* Defense Acquisition Regulations System, Attn: Ms. Jennifer Hawes, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Hawes, Defense Acquisition Regulations System, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060. Telephone 571–372–6115.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is proposing to amend the DFARS to prescribe a clause for use in solicitations and contracts, including solicitations and contracts for the acquisition of commercial items, when defense contractors are performing private security functions outside the United States.

DoD Instruction 3020.50, Private Security Contractors, was originally published on July 22, 2009, pursuant to section 862 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2008, as amended by section 853 of the NDAA for FY 2009. Change 1 of the Instruction was published on August 1, 2011, and reflects additional requirements levied under section 832 of the NDAA for FY 2008. DoD requirements encompass requirements set forth in 32 CFR 159, however they are broader than requirements set forth in FAR 25.302–3, and its implementing clause, 52.225–26, Contractors Performing Private Security Functions Outside the United States. This proposed rule will address these broader requirements by ensuring coverage in—

- Contingency operations;
- Combat operations, as designated by the Secretary of Defense;
- Other significant military operations, as designated by the Secretary of Defense, and only upon agreement of the Secretary of Defense and the Secretary of State;
- Humanitarian or peace operations; and
- Other military operations or military exercises, when designated by the Combatant Commander.

This rule provides DoD-unique requirements for implementation and supplementation of the FAR requirements, i.e., use of the Synchronized Predeployment and Operational Tracker (SPOT) System and compliance with ANSI/ASIS PSC.1–2012, American National Standard, Management System for Quality of Private Security Operations—Requirements with Guidance.

II. Discussion and Analysis

The proposed rule would add a new section, DFARS 225.302, titled "Contractors performing private security functions outside the United States," which provides a definition for "peace operation" and adds a prescription for the new proposed clause. This clause is also added to the list at DFARS 212.301 of clauses and provisions for the acquisition of commercial items.

The new proposed clause DFARS 252.225–7039, Defense Contractors Performing Private Security Functions, requires contractors to—

- Register in the Synchronized Predeployment and Operational Tracker (SPOT) system all weapons, armored vehicles, helicopters, and other vehicles used or operated by personnel performing private security functions; and
- Comply with ANSI/ASIS PSC.1–2012, American National Standard, Management System for Quality of Private Security Operations—Requirements with Guidance.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* However, DoD has prepared an Initial Regulatory Flexibility Analysis, which is summarized as follows:

The reason for this proposed rule is to address DoD-unique requirements relating to the implementation of the requirements at FAR 52.225–26, Contractors Performing Private Security Functions Outside the United States. FAR 52.225–26 implements section 862 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2009 (Pub. L. 110–181 and sections 831 and 832 of the NDAA for FY 2011 (Pub. L. 111–383), and the MOU signed by DoD, State, and USAID. This rule provides DoD-unique requirements for implementation and supplementation of the FAR requirements, i.e., use of the Synchronized Predeployment and Operational Tracker (SPOT) System and compliance with ANSI/ASIS PSC.1–2012, American National Standard, Management System for Quality of Private Security Operations—Requirements with Guidance.

In FY 2010, DoD awarded 1,051 contracts for performance in Afghanistan. Of those actions, 231 contracts were awarded to small business firms. It is not known how many of those contracts involved the requirements for contractor personnel to perform private security functions. As DoD personnel exit these areas, the total number of contracts will decrease.

The impact on small business firms will be minor because these are not new requirements. The requirement to enter data on weapons, armored vehicles, helicopters, and other military vehicles into SPOT was in the DFARS until the registration requirement was transitioned into the FAR in July 2013 (but without specifying use of SPOT). This new DFARS clause specifies that the system to use is SPOT. The DFARS Procedures, Guidance, and Information (PGI) had already provided in a checklist at 225.7401 that contracting officers shall incorporate and require compliance with the standard ANSI/ASIS PSC.1–2012 if the acquisition requires performance of private security functions.

This rule does not add new reporting, recordkeeping, or other compliance requirements.

The rule does not duplicate, overlap, or conflict with any other Federal rules.

DoD has not identified any alternatives that would lessen the already minimal burden on small entities and still meet the objectives of the rule.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by the rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C 610 (DFARS Case 2014–D008), in correspondence.

V. Paperwork Reduction Act

The information collection requirements in this rule that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35) are already covered by OMB Clearance Number 0704–0460, Synchronized Predeployment and

Operational Tracker (SPOT) System, which is approved through August 31, 2016, for 150,000 burden hours.

List of Subjects in 48 CFR Parts 212, 225, and 252

Government procurement.

Amy G. Williams,

Deputy, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 212, 225, and 252 are proposed to be amended as follows:

■ 1. The authority citation for parts 212, 225, and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 212—ACQUISITION OF COMMERCIAL ITEMS

■ 2. In section 212.301, redesignate paragraphs (f)(xlv) through (lxx) as paragraphs (f)(xlvi) through (lxxi) and add a new paragraph (f)(xlv) to read as follows:

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f) * * *

(xlv) Use the clause at 252.225–7039, Defense Contractors Performing Private Security Functions Outside the United States, as prescribed in 225.302–6, to comply with section 2 of Pub. L. 110–181, as amended.

* * * * *

PART 225—FOREIGN ACQUISITION

■ 3. Add sections 225.302, 225.302–2, and 225.302–6 to subpart 225.3 to read as follows:

225.302 Contractors performing private security functions outside the United States.

225.302–2 Definitions.

Peace operation, as used in this section, means a military mission to contain conflict, redress the peace, and shape the environment to support reconciliation and rebuilding and facilitate the transition to legitimate governance.

225.302–6 Contract clause.

Use the clause at 252.225–7039, Defense Contractors Performing Private Security Functions Outside the United States, in solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items, when private security functions are to be performed outside the United States in—

(1) Contingency operations;

(2) Combat operations, as designated by the Secretary of Defense;

(3) Other significant military operations (as defined in 32 CFR part 159), designated by the Secretary of Defense, and only upon agreement of the Secretary of Defense and the Secretary of State;

(4) Humanitarian or peace operations; or

(5) Other military operations or military exercises, when designated by the Combatant Commander.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 4. Add section 252.225–7039 to read as follows:

252.225–7039 Defense Contractors Performing Private Security Functions Outside the United States.

As prescribed in 225.302–6, insert the following clause:

DEFENSE CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS OUTSIDE THE UNITED STATES (DATE)

(a) *Definition. Peace operation,* as used in this clause, means a military mission to contain conflict, redress the peace, and shape the environment to support reconciliation and rebuilding and facilitate the transition to legitimate governance.

(b) *Requirements.* The Contractor shall—

(1) Register in the Synchronized Predeployment and Operational Tracker (SPOT)—

(i) Weapons to be carried by or available to be used by personnel performing private security functions; and

(ii) Armored vehicles, helicopters, and other vehicles operated by personnel performing private security functions; and

(2) Comply with ANSI/ASIS PSC.1–2012, American National Standard, Management System for Quality of Private Security Company Operations—Requirements with Guidance (located at *www.acq.osd.mil/log/PS/p_vault/item_1997-PSC_1_STD.PDF*).

(c) *Subcontracts.* The Contractor shall include the substance of this clause, including paragraph (b) of this clause, in subcontracts, including subcontracts for commercial items, when private security functions will be performed outside the United States in areas of—

(1) Contingency operations;

(2) Combat operations, as designated by the Secretary of Defense;

(3) Other significant military operations (as defined in 32 CFR part 159), designated by the Secretary of Defense upon agreement of the Secretary of State;

(4) Humanitarian or peace operations; or

(5) Other military operations or military exercises, when designated by the Combatant Commander.

(End of clause)

[FR Doc. 2014–14594 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 229 and 252

RIN 0750–AI26

Defense Federal Acquisition Regulation Supplement: Taxes—Foreign Contracts in Afghanistan (DFARS Case 2014–D003)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to notify contractors of requirements relating to Afghan taxes.

DATES: *Comment Date:* Comments on the proposed rule should be submitted in writing to the address shown below on or before August 25, 2014, to be considered in the formation of a final rule.

ADDRESSES: Submit comments identified by DFARS Case 2014–D003, using any of the following methods:

○ *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by entering "DFARS Case 2014–D003" under the heading "Enter keyword or ID" and selecting "Search." Select the link "Submit a Comment" that corresponds with "DFARS Case 2014–D003." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "DFARS Case 2014–D003" on your attached document.

○ *Email: osd.dfars@mail.mil.* Include DFARS Case 2014–D003 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Ms. Jennifer Hawes, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal information provided. To confirm receipt of your comment(s), please check *http://www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Hawes, telephone 571–372–6115.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is proposing to revise the DFARS to add two new clauses to notify contractors of requirements relating to Afghan taxes for contracts performed in Afghanistan.

II. Discussion and Analysis

Agreements established between the United States (U.S.) Forces and the Afghanistan government exempt U.S. contractors from paying liability for Afghan taxes. The two clauses included in the proposed rule, which implement the tax exemptions, are as follows:

- DFARS 252.229–70XX, Taxes-Foreign Contracts in Afghanistan, would be required to be included in all solicitations and contracts with performance in Afghanistan, unless the clause at 252.229–70YY is used. The Agreement regarding the U.S. Forces and Afghanistan also exempts the acquisition, importation, exportation, and use of articles and services in the Republic of Afghanistan by or on behalf of the Government of the United States of America in implementing this agreement from any taxes, customs, duties, or similar charges in Afghanistan, and contractors shall exclude any Afghan taxes, customs, duties, or similar charges from contract prices.
- DFARS 252.229–70YY, Taxes-Foreign Contracts in Afghanistan (Military Technical Agreement), would be required to be included in all solicitations and contracts with performance in Afghanistan awarded on behalf of NATO if approval from the Director, Defense Procurement and Acquisition Policy, Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, is obtained prior to each use.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because this rule applies to requirements for taxes to be paid under contracts that are performed in Afghanistan. However, an initial regulatory flexibility analysis has been performed and is summarized as follows.

This rule proposes to amend the DFARS by incorporating DFARS clause 252.229–70XX, Taxes-Foreign Contracts in Afghanistan, to be used in all solicitations and contracts with performance in Afghanistan, unless DFARS clause 252.229–70YY is used. This rule also includes DFARS clause 252.229–70YY, Taxes-Foreign Contracts in Afghanistan (Military Technical Agreement), to be used in all solicitations and contracts with performance in Afghanistan awarded on behalf of NATO, which are governed by the Military Technical Agreement, and upon approval of the Director, Defense Procurement and Acquisition Policy, Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics.

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities because this rule addresses requirements for taxes under contracts performed in Afghanistan. The proposed rule does not duplicate, overlap, or conflict with any other Federal rules.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2014–D003), in correspondence.

V. Paperwork Reduction Act

The rule does not contain information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 229 and 252

Government procurement.

Amy G. Williams,

Deputy, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 229 and 252 are proposed to be amended as follows:

■ 1. The authority citation for parts 229 and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 229—TAXES

■ 2. Amend section 229.402–70 by adding paragraphs (k) and (l) to read as follows:

229.402–70 Additional provisions and clauses.

* * * * *

(k) Use the clause at 252.229–70XX, Taxes—Foreign Contracts in Afghanistan, in all solicitations and contracts with performance in Afghanistan, unless the clause at 252.229–70YY is used.

(l) Use the clause at 252.229–70YY, Taxes—Foreign Contracts in Afghanistan (Military Technical Agreement), in all solicitations and contracts with performance in Afghanistan awarded on behalf of NATO, which are governed by the Military Technical Agreement, if approval from the Director, Defense Procurement and Acquisition Policy, Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, has been obtained prior to each use.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 3. Add section 252.229–70XX to read as follows:

252.229–70XX Taxes—Foreign Contracts in Afghanistan.

As prescribed in 229.402–70(k), use the following clause:

TAXES—FOREIGN CONTRACTS IN AFGHANISTAN (DATE)

(a) This acquisition is covered by the Agreement regarding the Status of United States Military and Civilian Personnel of the U.S. Department of Defense Present in Afghanistan with Cooperative Efforts in Response to Terrorism, Humanitarian and Civic Assistance, Military Training and Exercises, and other Activities, entered into between the United States and Afghanistan, which was concluded by an exchange of diplomatic notes (U.S. Embassy Kabul note No. 202, dated September 26, 2002; Afghanistan Ministry of Foreign Affairs notes

791 and 93, dated December 12, 2002, and May 28, 2003, respectively), and entered into force on May 28, 2003.

(b) The Agreement exempts the Government of the United States of America and its contractors, subcontractors, and contractor personnel from paying any tax or similar charge assessed within Afghanistan. The Agreement also exempts the acquisition, importation, exportation, and use of articles and services in the Republic of Afghanistan by or on behalf of the Government of the United States of America in implementing this agreement from any taxes, customs, duties, or similar charges in Afghanistan.

(c) The Contractor shall exclude any Afghan taxes, customs, duties, or similar charges from the contract price.

(d) The Agreement does not exempt Afghan employees of DoD contractors and subcontractors from Afghan tax laws. To the extent required by Afghan law, the Contractor shall withhold tax from the wages of these employees and to remit those payments to the appropriate Afghanistan taxing authority. These withholdings are an individual's liability, not a tax against the Contractor.

(e) The Contractor shall include the substance of this clause, including this paragraph (e), in all subcontracts, including subcontracts for commercial items.

(End of clause)

■ 4. Add section 252.229–70YY to read as follows:

252.229–70YY Taxes—Foreign Contracts In Afghanistan (Military Technical Agreement).

As prescribed in 229.402–70(l), use the following clause:

TAXES—FOREIGN CONTRACTS IN AFGHANISTAN (MILITARY TECHNICAL AGREEMENT) (DATE)

(a) This acquisition is covered by the Military Technical Agreement (MTA) entered into between the International Security Assistance Forces (ISAF) and Interim Administration of Afghanistan in April 2002 and the 2011 Letter of Interpretation issued on March 9, 2011.

(b) The MTA establishes the basic rules and exempts NATO/ISAF and its contractors and subcontractors from paying any tax or similar charge assessed within Afghanistan. The MTA also exempts the acquisition, importation, exportation and use of supplies and services in Afghanistan from all Afghan taxes, fees, duties or other form of revenue generation.

(c) The Contractor shall exclude any Afghan taxes, customs duties or similar charges from its contract price, except as modified in paragraph (d) of this clause.

(d) The ISAF 2011 Letter of Interpretation modified the MTA's tax exemption effective March 21, 2011.

(1) Local contractors are subject to tax for profits earned from NATO/ISAF contracts or subcontract and may include that tax in its contract price. The goods, materials, and supplies acquired and the services provided by local contractors for the use of NATO/ISAF, NATO member states, and non-NATO member states participating in the ISAF remain exempt from other taxes, duties, sales or other taxes, import fees, or fees of any kind. The Contractor may include the tax on profits in the contract price.

(2) Afghan citizens employed by NATO/ISAF contractors and subcontractors are subject to Afghan tax laws. To the extent required by Afghan law, the Contractor shall withhold tax from the wages of these employees and to remit those withholdings to the Afghanistan Revenue Department. These withholdings are an individual's liability, not a tax against the Contractor.

(e) The Contractor shall include the substance of this clause, including this paragraph (e), in all subcontracts including subcontracts for commercial items.

(End of clause)

[FR Doc. 2014–14595 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisitions Regulations System

48 CFR Parts 235, 237, and 252

RIN 0750–AI22

Defense Federal Acquisition Regulation Supplement; Animal Welfare (DFARS Case 2013–D038)

AGENCY: Defense Acquisition Regulations System; Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to comply with the Department of Defense Instruction that addresses the use of animals in DoD programs.

DATES: *Comment Date:* Comments on the proposed rule should be submitted in writing to the address shown below on or before August 25, 2014, to be considered in the formation of a final rule.

ADDRESSES: Submit comments identified by DFARS Case 2013–D038 using any of the following methods:

○ *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by entering "DFARS Case 2012–D038" under the heading "Enter keyword or ID" and selecting "Search." Select the link "Submit a Comment" that corresponds with "DFARS Case 2013–D038." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "DFARS Case 2012–D038" on your attached document.

○ *Email: osd.dfars@mail.mil.* Include DFARS Case 2013–D038 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Ms. Janetta Brewer, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Janetta Brewer, Defense Acquisition Regulations System, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060, Telephone 571–372–6104.

SUPPLEMENTARY INFORMATION:

I. Background

This rule proposes to revise DFARS 235.072, 237.1, and the clause at 252.235–7002, Animal Welfare, to be consistent with the Department of Defense Instruction (DoDI) 3216.01 entitled "Use of Animals in DoD Programs," which governs DoD-supported research, development, test, and evaluation or training that uses vertebrate animals, and the acquisition of animals.

II. Discussion and Analysis

The rule proposes to prescribe inclusion of the clause at DFARS 252.235–7002 in solicitations and contracts involving research, development, test, and evaluation or training that uses live vertebrate animals. Contractors shall acquire and care for animals in accordance with the pertinent laws of the United States, the regulations of the Department of Agriculture, DoDI 3216.01, and agency implementing regulations. The rule also proposes to make contractor facilities available for inspection by the appropriate officials. It also adds DFARS 237.17X to address training that uses live vertebrate animals and to provide a cross-reference to DFARS 235.072.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits

(including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action and, therefore, was subject to review under Section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* However, an initial regulatory flexibility analysis has been performed and is summarized as follows:

The data obtained from the Office of Assistant Secretary of Defense for Research Development Animal Research Development Test & Evaluation Protection Programs shows an estimate of 50 new DoD Research, Development, Test, and Evaluation contracts awarded in Fiscal Year 2012 that involved animal testing. Forty eight of these contracts were awarded to small businesses entities, which could be impacted by this rule. However, any cost burden caused by this rule will be outweighed by the effect of the rule preventing cruelty to animals.

The rule does not add any new information collection requirements. The rule does not duplicate, overlap, or conflict with any other Federal rules. No alternatives were identified that will accomplish the objectives of the rule.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2013–D038), in correspondence.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 235, 237, and 252

Government procurement.

Amy G. Williams,

Deputy, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 235, 237, and 252 are proposed to be amended as follows:

■ 1. The authority citation for parts 235, 237, and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 235—RESEARCH AND DEVELOPMENT CONTRACTING

■ 2. Amend section 235.072 by revising paragraph (a) to read as follows:

235.072 Additional contract clauses.

(a) Use the clause at 252.235–7002, Animal Welfare, or one substantially the same, in solicitations and contracts awarded involving research, development, test, and evaluation or training that uses live vertebrate animals.

* * * * *

PART 237—SERVICE CONTRACTING

■ 3. Add section 237.17X to subpart 237.1 to read as follows:

237.17X Training that uses live vertebrate animals.

When contracting for training that will use live vertebrate animals, see 235.072.

PART 252—SOLICITAION PROVISIONS AND CONTRACT CLAUSES

■ 4. Revise section 252.235–7002 to read as follows:

252.235–7002 Animal Welfare.

As prescribed in 235.072(a), use the following clause:

ANIMAL WELFARE (DATE)

(a)(1) The Contractor shall register its research, development, test, and evaluation or training facility with the Secretary of Agriculture in accordance with 7 U.S.C. 2136 and 9 CFR subpart C, and section 2.30, unless otherwise exempt from this requirement by meeting the conditions in 7 U.S.C. 2136 and 9 CFR parts 1 through 4 for the duration of the activity. The Contractor shall have its proposed animal use approved in accordance with Department of Defense Instruction (DoDI) 3216.01 by a DoD Component Headquarters Oversight Office. The Contractor shall furnish evidence of such registration and approval to the Contracting Officer before beginning work under this contract.

(2) The Contractor shall make its animals, and all premises, facilities, vehicles, equipment, and records that support animal care available during business hours and at other times mutually agreeable to the Contractor and United States Department of Agriculture office of Animal and Plant Health Inspection Service (USDA/APHIS) representative, personnel representing the DoD component oversight offices, as well as the Contracting Officer, to ascertain that the Contractor is compliant with 7 U.S.C. 2131–2159 and 9 CFR parts 1 through 4.

(b) The Contractor shall acquire animals in accordance with Department of Defense Instruction (DoDI) 3216.01, Use of Animals in DoD Programs (*http://www.dtic.mil/whs/directives/corres/pdf/321601p.pdf*).

(c) The Contractor agrees that the care and use of animals will conform with the pertinent laws of the United States, regulations of the Department of Agriculture, and policies and procedures of the Department of Defense (see 7 U.S.C. 2131 *et seq.*, 9 CFR subchapter A, parts 1 through 4, DoDI 3216.01, Army Regulation 40–33/SECNAVINST 3900.38C/AFMAN 40–401(I)/DARPAINST 18/USUHSINST 3203). The Contractor shall also comply with DoDI 1322.24 if this contract includes acquisition of training.

(d) The Contracting Officer may immediately suspend, in whole or in part, work and further payments under this contract for failure to comply with the requirements of paragraphs (a) through (c) of this clause.

(1) The suspension will stay in effect until the Contractor complies with the requirements.

(2) Failure to complete corrective action within the time specified by the Contracting Officer may result in termination of this contract and if applicable, removal of the Contractor's name from the approved vendor list for live animals used in medical training.

(e) The Contractor may request registration of its facility by contacting USDA/APHIS/AC, 4700 River Road, Unit 84, Riverdale, MD 20737–1234 or via the APHIS-Animal Care Web site at: *http://www.aphis.usda.gov/wps/portal/aphis/ourfocus/animalwelfare.*

(f) The Contractor shall include this clause, including this paragraph (f), in all subcontracts involving research, development, test, and evaluation or training that uses live vertebrate animals.

(End of clause)

[FR Doc. 2014–14592 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 16

[Docket No. FWS–R9–FHC–2008–0015; FXFR13350900000–145–FF09F14000]

RIN 1018–AV68

Injurious Wildlife Species; Listing the Reticulated Python, Three Anaconda Species, and the Boa Constrictor as Injurious Reptiles

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; Reopening of Comment Period.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the reopening of the comment period on the proposed rule published on March 12, 2010, which proposed to amend our regulations to add nine species of large constrictor snakes as injurious species under the Lacey Act. Because four of the nine species were added to the regulations in 2012, this reopening notice is restricted to the five remaining species: the reticulated python (*Broghammerus reticulatus* or *Python reticulatus*), DeSchauensee's anaconda (*Eunectes deschauenseei*), green anaconda (*Eunectes murinus*), Beni anaconda (*Eunectes beniensis*), and boa constrictor (*Boa constrictor*). If you have previously submitted comments on the proposed rule, please do not resubmit them because we have already incorporated them in the public record and will fully consider them in our final decision on these five species.

DATES: We will consider comments received or postmarked on or before July 24, 2014. Any comments that are received after the closing date may not be considered in the final decision on this action.

ADDRESSES: You may submit comments by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* In the Search box, enter the docket number for the proposed rule, which is **FWS–R9–FHC–2008–0015**. Click on "Comment Now!" to submit a comment. Please ensure that you have found the correct rulemaking before submitting your comment.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. **FWS–R9–FHC–2008–0015**; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept email or faxes. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see **Public Comments** below for more information). Information regarding this notice is available in alternative formats upon request.

FOR FURTHER INFORMATION CONTACT: Bob Progulske, Everglades Program Supervisor, South Florida Ecological Services Office, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960; telephone 772–469–4299. If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION: On March 12, 2010, we published a proposed rule (75 FR 11808) to list *Python molurus* (which includes Burmese and Indian pythons), reticulated python, Northern African python (*Python sebae*), Southern African python (*Python natalensis*), boa constrictor, yellow anaconda (*Eunectes notaeus*), DeSchauensee's anaconda, green anaconda, and Beni anaconda as injurious reptiles under the Lacey Act (18 U.S.C. 42). This proposed rule established a 60-day comment period, ending May 11, 2010, and announced the availability of the draft economic analysis and the draft environmental assessment of the proposed rule. At the request of the public, we reopened the comment period for an additional 30 days on July 1, 2010 (75 FR 38069). On January 23, 2012, the Service published a final rule (77 FR 3330) that added *Python molurus* (which includes Burmese python and Indian python), Northern African python, Southern African python, and yellow anaconda to the list of injurious wildlife, while the other five species in the proposed rule remained under consideration. The Service has decided to reopen the public comment period on the same proposed rule, but only for the five remaining species.

The proposed rule, draft economic analysis, initial regulatory flexibility analysis, and draft environmental assessment are available for review at *http://www.regulations.gov* under **Docket No. FWS–R9–FHC–2008–0015,** or on the South Florida Ecological Services Office Web site at *http://www.fws.gov/verobeach/index.cfm?method=activityhighlights&id=11,* or at the South Florida Ecological Services Office (see **FOR FURTHER INFORMATION CONTACT**).

Public Comments

The Service has chosen to reopen the comment period because approximately 4 years have elapsed since the public was able to comment on the Service's proposed action for these five species. We intend that any subsequent final action resulting from the proposed rule will be based on the best information available to the Service and be as accurate and complete as possible. Therefore, we request comments or information from other concerned government agencies, the scientific community, industry, or other interested parties concerning the proposed rule. We will consider information and recommendations from all interested parties. For the complete list of subjects on which we seek comments for the five species, please refer to the March 12, 2010, proposed rule (75 FR 11808), available online at *http://www.regulations.gov* under Docket No. **FWS–R9–FHC–2008–0015** or from the South Florida Ecological Services Office (see **FOR FURTHER INFORMATION CONTACT**).

Before providing your comments, we recommend that you review the final rule listing the Burmese python, Northern and Southern African pythons, and yellow anaconda (77 FR 3330; January 23, 2012), particularly the section *Comments Received on the Proposed Rule.* This section extensively covers our responses to the public comments that we received during the first two comment periods (although focused on the four species listed in that final rule) and may address your issues. Also, the final economic analysis, final environmental assessment, and final regulatory flexibility analysis associated with that final rule can provide additional insight if you intend to submit new comments on the draft economic analysis, draft environmental assessment, and initial regulatory flexibility analysis.

You may submit your comments and supporting materials concerning the proposed rule, the draft economic analysis, the initial regulatory flexibility analysis, and the draft environmental assessment by one of the methods listed in **ADDRESSES.** We will not accept comments sent by email or fax or to an address not listed in **ADDRESSES.**

If you submit a comment via *http://www.regulations.gov,* your entire submission—including any personal identifying information—will be posted on the Web site. 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. We will post all hardcopy submissions on *http://www.regulations.gov*. Please include sufficient information with your comments to allow us to verify any scientific or commercial information you include.

We are seeking new information from the public only for the boa constrictor, reticulated python, DeSchauensee's anaconda, green anaconda, and Beni anaconda; comments on other species will not be considered. The new information (information that has become available after the close of the previous comment period on August 2, 2010) may relate to any aspect of the proposed rule and the associated draft economic analysis, initial regulatory flexibility analysis, and draft environmental assessment. Such information includes, but is not limited to, the biology of the five species, existing regulations that apply to the five species, the economic effect on wholesale and retail sales, and any other information relevant to the proposed rule and associated documents. Specific questions can be found in the proposed rule (75 FR 11808; March 12, 2010). We may revise the rule or supporting documents to incorporate or address information we receive during this reopened public comment period.

Comments and materials we receive, as well as supporting documentation we used in preparing the proposed rule, will be available for public inspection on *http://www.regulations.gov* under Docket No. **FWS–R9–FHC–2008–0015**, or by appointment, during normal business hours at the South Florida Ecological Services Office (see **FOR FURTHER INFORMATION CONTACT**).

In preparing the final rule, we will consider all comments and any additional information that we receive during this reopened comment period on the proposed rule. As we did previously, we are evaluating each of the five species of constrictor snakes individually. Accordingly, the final decision may differ from the March 2010 proposal.

Authority: The authority for this action is the Lacey Act (18 U.S.C. 42).

Dated: May 21, 2014

Rachel Jacobson,

Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2014–14712 Filed 6–23–14; 8:45 am]

BILLING CODE 4310–55–P

Notices

Federal Register
Vol. 79, No. 121
Tuesday, June 24, 2014

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.

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the New York Advisory Committee

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 (FACA), that a briefing meeting of the New York Advisory Committee to the Commission will convene at 8:30 a.m. (EDT) on Thursday, July 10, 2014, in the Greenberg Lounge at the New York University Law School, 40 Washington Square South, New York, NY 10012. The purpose of the briefing meeting is to hear from government officials, advocates, citizens, and others to examine the use of solitary confinement for juveniles in New York.

Members of the public are entitled to submit written comments. The comments must be received in the regional office by Monday, August 11, 2014. Comments may be mailed to the Eastern Regional Office, U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425, faxed to (202) 376–7548, or emailed to Melanie Reingardt at *ero@usccr.gov*. Persons who desire additional information may contact the Eastern Regional Office at 202–376–7533.

Persons needing accessibility services should contact the Eastern Regional Office at least 10 working days before the scheduled date of the meeting.

Records generated from this meeting may be inspected and reproduced at the Eastern Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, *www.usccr.gov,* or to contact the Eastern Regional Office at the above phone number, email, or street address.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA.

Dated in Washington, DC, on June 19, 2014.

Marlene Sallo,

Staff Director.

[FR Doc. 2014–14668 Filed 6–23–14; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

International Trade Administration

RIN: A–520–804

Certain Steel Nails From the United Arab Emirates: Preliminary Results of Antidumping Duty Administrative Review; 2011–2013

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

SUMMARY: The Department of Commerce (the Department) is conducting the first administrative review of the antidumping duty order on certain steel nails (nails) from the United Arab Emirates (UAE). The period of review (POR) is November 3, 2011, through April 30, 2013. The review covers two producers/exporters of the subject merchandise, Dubai Wire FZE (Dubai Wire) and Precision Fasteners, L.L.C. (Precision). We preliminarily find that Dubai Wire and Precision sold subject merchandise at less than normal value in the United States during the POR. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Bryan Hansen or Michael Romani, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3683, and (202) 482–0198, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the *Order*[1] is certain steel nails from the UAE. The products are currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7317.00.55, 7317.00.65, and 7317.00.75. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description, remains dispositive.[2]

The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available to registered users at *http://iaaccess.trade.gov* and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at *http://enforcement.trade.gov/frn/index.html.* A list of the topics discussed in the Preliminary Decision Memorandum is attached as an Appendix to this notice. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

Methodology

The Department conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* Preliminary Decision Memorandum.

Facts Available

For the preliminary results, we have relied, in part, on facts available. Because we lack necessary Dubai Wire sales and cost data, we determine that it is appropriate to apply "facts otherwise available" pursuant to section 776(a)(2)(B) of the Act. We further determine that an adverse inference is not warranted in accordance with

[1] *Certain Steel Nails from the United Arab Emirates: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order,* 77 FR 27421 (May 10, 2012) (*Order*).

[2] A full description of the scope of the order is contained in the memorandum to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Certain Steel Nails from the United Arab Emirates: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2011–2013" dated concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum).

section 776(b) of the Act because, pursuant to section 782(e) of the Act, Dubai Wire acted to the best of its ability to comply with our requests for information and we have sufficient sales and cost information on the record to calculate a margin for Dubai Wire. Because Precision did not act to the best of its ability to respond to the Department's request for information, we have drawn an adverse inference in selecting from among the facts otherwise available, pursuant to 776(a) and (b) of the Act. For a full description of the methodology underlying our conclusions, *see* Preliminary Decision Memorandum.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margins on certain steel nails from the UAE exist for the period November 3, 2011, through April 30, 2013 at the following rates:

Company	Weighted-average dumping margin (percent)
Dubai Wire FZE	3.88
Precision Fasteners, L.L.C.	184.41

Disclosure and Public Comment

We intend to disclose the calculations performed to parties in this proceeding within five days after the date of publication of this notice in accordance with 19 CFR 351.224(b). Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[3] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) A brief summary of the argument; and (3) a table of authorities.[4]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. The Department intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon issuance of the final results, the Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries covered by this review. If we continue to rely on adverse facts available to establish Precision's weighted-average dumping margin, we will instruct CBP to apply an *ad valorem* assessment rate of 184.41 percent to all entries of subject merchandise during the POR which were produced and/or exported by Precision. If Dubai Wire's weighted-average dumping margin is not zero or *de minimis* in the final results of this review, we will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for an importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1). If Dubai Wire's weighted-average dumping margin is zero or *de minimis* in the final results of review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties in accordance with the *Final Modification for Reviews, i.e.*, "{w}here the weighted-average margin of dumping for the exporter is determined to be zero or *de minimis*, no antidumping duties will be assessed."[5] We will instruct CBP to take into account the "provisional measures cap" in accordance with 19 CFR 351.212(d).

The Department clarified its "automatic assessment" regulation on May 6, 2003.[6] This clarification will apply to entries of subject merchandise during the POR produced by Dubai Wire for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of nails from the UAE entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Dubai Wire and Precision will be the rate established in the final results of this administrative review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the manufacturer of the merchandise for the most recently completed segment of this proceeding; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 4.30 percent.[7] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

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

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

[4] *Id.; see also* 19 CFR 351.303 (for general filing requirements).

[5] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8102 (February 14, 2012).

[6] For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

[7] The all-others rate established in the *Order*.

Dated: June 18, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

[FR Doc. 2014–14718 Filed 6–23–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–900]

Diamond Sawblades and Parts Thereof From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011–2012

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

SUMMARY: On December 20, 2013, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on diamond sawblades and parts thereof (diamond sawblades) from the People's Republic of China (the PRC). The period of review (POR) is November 1, 2011, through October 31, 2012. For the final results, we continue to find that certain companies covered by this review made sales of subject merchandise at less than normal value.

DATES: *Effective Date:* June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Michael Romani or Yang Jin Chun, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0198 or (202) 482–5760, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 20, 2013, the Department published the preliminary results of the administrative review of the antidumping duty order on diamond sawblades from the PRC.[1] We received case and rebuttal briefs with respect to the *Preliminary Results* and, at the request of an interested party, held a hearing on April 23, 2014. We extended the due date for the final results of review to June 18, 2014.[2] We conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise subject to the order is diamond sawblades. The diamond sawblades subject to the order are currently classifiable under subheadings 8202 to 8206 of the Harmonized Tariff Schedule of the United States (HTSUS), and may also enter under 6804.21.00. The HTSUS subheadings are provided for convenience and customs purposes. A full description of the scope of the order is contained in the Final Decision Memorandum.[3] The written description is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Final Decision Memorandum. A list of the issues raised is attached to this notice as an appendix. The Final Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available to registered users at *http://iaaccess.trade.gov.* The Final Decision Memorandum is also available to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Final Decision Memorandum can be accessed directly on the Enforcement and Compliance Web site at *http://enforcement.trade.gov/frn/index.html.* The signed and electronic versions of the Final Decision Memorandum are identical in content.

Final Determination of No Shipments

We continue to find that Qingdao Shinhan Diamond Industrial Co., Ltd., and Saint-Gobain Abrasives (Shanghai) Co., which received separate rates in previous segments of the proceeding and are subject to this review, did not have any exports of subject merchandise during the POR.[4] Consistent with our "automatic assessment" clarification, we will issue appropriate instructions to CBP based on our final results.[5]

Changes Since the Preliminary Results

Based on our analysis of comments received, we made revisions that have changed the results for certain companies, including the valuation of certain factors of production. Additionally, we made calculation programming changes for the final results. For further details on the changes we made for these final results, *see* the company-specific analysis memoranda, the Final Decision Memorandum, and the final surrogate value memorandum dated concurrently with this notice.

Final Results of the Review

As a result of this administrative review, we determine that the following weighted-average dumping margins exist for the period November 1, 2011, through October 31, 2012:

[1] *See Diamond Sawblades and Parts Thereof From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2011–2012,* 78 FR 77098 (December 20, 2013) (*Preliminary Results*), and the accompanying Preliminary Decision Memorandum.

[2] *See* the memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, entitled "Diamond Sawblades and Parts Thereof From the People's Republic of China: Extension of Deadline for Final Results of Antidumping Duty Administrative Reviews" dated April 1, 2014.

[3] *See* the memorandum from Deputy Assistant Secretary Christian Marsh to Acting Assistant Secretary Ronald K. Lorentzen entitled "Issues and Decision Memorandum for the Administrative Review of the Antidumping Duty Order on Diamond Sawblades and Parts Thereof From the People's Republic of China covering the Period November 1, 2011, through October 31, 2012" dated June 18, 2014 (Final Decision Memorandum), which is hereby adopted by this notice, at 3–4.

[4] *See Preliminary Results* and the accompanying Preliminary Decision Memorandum at 3.

[5] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 4, 2011) (*Assessment Practice Refinement*); *see also* the "Assessment" section of this notice, below.

Company [6]	Margin (percent)
Bosun Tools Co., Ltd.	4.65
Chengdu Huifeng Diamond Tools Co., Ltd.	4.83
Danyang Huachang Diamond Tools Manufacturing Co., Ltd.	4.83
Danyang NYCL Tools Manufacturing Co., Ltd.	4.83
Danyang Weiwang Tools Manufacturing Co., Ltd.	4.83
Guilin Tebon Superhard Material Co., Ltd.	4.83
Hangzhou Deer King Industrial and Trading Co., Ltd.	4.83
Husqvarna (Hebei) Co., Ltd.	4.83
Huzhou Gu's Import & Export Co., Ltd.	4.83
Jiangsu Fengtai Diamond Tool Manufacture Co., Ltd.	4.83
Jiangsu Inter-China Group Corporation	4.83
Jiangsu Youhe Tool Manufacturer Co., Ltd.	4.83
Qingyuan Shangtai Diamond Tools Co., Ltd.	4.83
Quanzhou Zhongzhi Diamond Tool Co. Ltd.	4.83
Rizhao Hein Saw Co., Ltd.	4.83
Shanghai Jingquan Ind. Trade Co., Ltd.	4.83
Shanghai Robtol Tool Manufacturing Co., Ltd.	4.83
Weihai Xiangguang Mechanical Industrial Co., Ltd.	5.06
Wuhan Wanbang Laser Diamond Tools Co.	4.83
Xiamen ZL Diamond Technology Co., Ltd.	4.83
Zhejiang Wanli Tools Group Co., Ltd.	4.83
PRC-Wide Entity [7]	164.09

[6] During this segment of the proceeding, we identified certain name variations for several companies. *See Preliminory Results,* 78 FR at 77099–100, and the accompanying Preliminary Decision Memorandum at 3, 5–6.

[7] The deadline to file a separate rate application, separate rate certification, or a notification of no sales, exports or entries is 60 days after the initiation of the administrative review, which in this review was March 1, 2013. On February 22, 2013, Husqvarna requested an extension to file its SRA. On February 28, 2013, we granted Husqvarna's request and extended the due date to March 8, 2013. Husqvarna submitted its SRA on March 5, 2013. Therefore, as of March 2, 2013, the remaining companies under review that did not demonstrate eligibility for a separate rate without filing a request for an extension of due date for a separate rate application or certification were part of the PRC-wide entity. Also, we are denying ATM Single Entity a separate rate status. *See* Final Decision Memorandum at Comment 1. *See olso Preliminary Results,* 78 FR at 77099 for the names of companies comprising ATM Single Entity. Accordingly, the PRC-wide entity includes the following companies: ATM Single Entity, Central Iron and Steel Research Institute Group, CISRI, Danyang Aurui Hardware Products Co., Ltd., Danyang City Ou Di Ma Tools Co., Ltd., Danyang Dida Diamond Tools Manufacturing Co., Ltd., Danyang Tsunda Diamond Tools Co., Ltd., Electrolux Construction Products (Xiamen) Co. Ltd., Fujian Quanzhou, Hebei Jikai Industrial Group Co., Ltd., Huachang Diamond Tools Manufacturing Co., Ltd., Hua Da Superabrasive Tools Technology Co., Ltd., Jiangsu Fengyu Tools Co., Ltd., Jiangyin Likn Industry Co., Ltd., Protech Diamond Tools, Pujiang Talent Diamond Tools Co., Ltd., Quanzhou Shuangyang Diamond Tools Co., Ltd., Quanzhou Zongzhi Diamond Tool Co. Ltd., Shanghai Deda Industry & Trading Co., Ltd., Shijiazhuang Global New Century Tools Co., Ltd., Sichuan Huili Tools Co., Task Tools & Abrasives, Wanli Tools Group, Wuxi Lianhua Superhard Material Tools Co., Ltd., Zhejiang Tea Import & Export Co., Ltd., Zhejiang Wanda Import and Export Co., Zhejiang Wanda Tools Group Corp., and Zhejiang Wanli Super-hard Materials Co., Ltd.

Assessment

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. For customers or importers of Weihai Xiangguang Mechanical Industrial Co., Ltd. (Weihai) for which we do not have entered value, we calculated customer-/importer-specific antidumping duty assessment amounts based on the ratio of the total amount of dumping duties calculated for the examined sales of subject merchandise to the total sales quantity of those same sales.[8] For customers or importers of Bosun Tools Co., Ltd., and Weihai for which we received entered-value information, we have calculated customer/importer-specific antidumping duty assessment rates based on customer-/importer-specific *ad valorem* rates in accordance with 19 CFR 351.212(b)(1).

For all non-selected respondents that received a separate rate, we will instruct CBP to apply an antidumping duty assessment rate of 4.83 percent [9] to all entries of subject merchandise that entered the United States during the POR. For all other companies, we will instruct CBP to apply an antidumping duty assessment rate of the PRC-wide entity, 164.09 percent,[10] to all entries of subject merchandise exported by these companies.

The Department announced a refinement to its assessment practice in NME cases.[11] Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, for companies where the Department determined that the exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's rate) will be liquidated at the PRC-wide rate.

We intend to issue assessment instructions to CBP 15 days after the date of publication of the final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date as provided by section 751(a)(2)(C) of the Act: (1) For subject merchandise exported by the companies listed above that have separate rates, the cash deposit rate will be the rate established in these final results of review for each exporter as listed above; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above

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

[9] *See* Final Decision Memorandum at 4–5.

[10] *See Diomond Sowblodes ond Ports Thereof From the People's Republic of China ond the Republic of Korea: Antidumping Duty Orders,* 74 FR 57145, 57147 (November 4, 2009).

[11] For a full discussion of this practice, *see Assessment Practice Refinement.*

that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; [12] (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements shall remain in effect until further notice.

Notification

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

These final results of review are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act.

[12] We note that, pursuant to a section 129 determination, the Department announced it would instruct CBP "to discontinue the collection of cash deposits for estimated antidumping duties for AT&M." *See Certain Frozen Warmwater Shrimp From the People's Republic of China and Diamond Sawblades and Parts Thereof From the People's Republic of China: Notice of Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Orders,* 78 FR 18958 (March 28, 2013). However, because of an injunction issued by the U.S. Court of International Trade in CIT Ct. No. 09–00511, the Department also explained that "future entries of such merchandise are subject to suspension of liquidation at the cash deposit rate of zero. Subsequent action will be consistent with the final court decision." *Id.* at 18960, n.20. Thus, while the Department continues to be enjoined from ordering the lifting of suspension of liquidation regarding incoming entries, future entries of such merchandise will continue to be subject to suspension of liquidation at the cash deposit rate of zero and we will instruct CBP accordingly.

Dated: June 18, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

[FR Doc. 2014–14717 Filed 6–23–14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–016, C–570–017]

Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping and Countervailing Duty Petitions: Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China

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

DATES: *Effective Date:* June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Emily Halle, Toni Page, or Kaitlin Wojnar at (202) 482–0176, (202) 482–1398, or (202) 482–3857, respectively, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Extension of Initiation of Investigations

The Petitions

On June 3, 2014, the Department of Commerce (Department) received antidumping and countervailing duty petitions filed by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO–CLC (Petitioner) on behalf of the domestic industry producing certain passenger vehicle and light truck tires.[1]

Determination of Industry Support for the Petitions

Sections 702(b)(1) and 732(b)(1) of the Tariff Act of 1930, as amended (the Act), require that a petition be filed by or on behalf of the domestic industry. Sections 702(c)(4)(A) and 732(c)(4)(A) of the Act provide that the Department's industry support determination be based on whether a minimum percentage of the relevant industry supports the petition. A petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, sections 702(c)(4)(D) and 732(c)(4)(D) of the Act provide that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A), or (ii) if there is a large number of producers, determine industry support using a statistically valid sampling method to poll the industry.

Extension of Time

Sections 702(c)(1)(A)(ii) and 732(c)(1)(A)(ii) of the Act provide that within 20 days of the filing of an antidumping or countervailing duty petition, the Department will determine, *inter alia,* whether the petition has been filed by or on behalf of the U.S. industry producing the domestic like product. Sections 702(c)(1)(B) and 732(c)(1)(B) of

[1] *See* Petitions for the Imposition of Antidumping Duties and Countervailing Duties on Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China, June 3, 2014 (Petitions).

the Act provide that the deadline for the initiation determination, in exceptional circumstances, may be extended by 20 days in any case in which the Department must "poll or otherwise determine support for the petition by the industry." Because it is not clear from the Petitions whether the industry support criteria have been met, the Department determines it should extend the time for initiating an investigation in order to further examine the issue of industry support.

The Department will need additional time to gather and analyze additional information regarding industry support. Therefore, it is necessary to extend the deadline for determining the adequacy of the Petitions for a period not to exceed 40 days from the filing of the Petition. Because the extended initiation determinations date of July 13, 2014, falls on a Sunday, a non-business day, the Department's initiation determinations will now be due no later than July 14, 2014, the next business day.[2]

International Trade Commission Notification

The Department will contact the International Trade Commission (ITC) and will make this extension notice available to the ITC.

Dated: June 17, 2014.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2014–14716 Filed 6–23–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–843]

Certain Lined Paper Products From India: Final Results of Changed Circumstances Review

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

DATES: *Effective Date:* June 24, 2014.

SUMMARY: On April 18, 2014, the Department of Commerce (the Department) published its notice of preliminary results of a changed circumstances review (CCR) of the antidumping duty order on certain lined paper products from India.[1] The Department preliminarily determined that Navneet Education Limited (Navneet Education) is the successor-in-interest to Navneet Publications (India) Ltd. (Navneet Publications). No parties submitted comments, and for these final results we continue to find that Navneet Education is the successor-in-interest to Navneet Publications.

FOR FURTHER INFORMATION CONTACT: Cindy Robinson or Eric B. Greynolds, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3797 and (202) 482–6071, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 17, 2013, Navneet Education requested that the Department conduct a CCR to determine whether it is the successor-in-interest to Navneet Publications, for purposes of determining antidumping duties due as a result of the *CLPP Order*.[2] On April 18, 2014, the Department published its *Preliminary Results*, in which it preliminarily determined that Navneet Education is the successor-in-interest to Navneet Publications.[3] The Department invited interested parties to comment on the *Preliminary Results*.[4] We received no comments or requests for a hearing from interested parties.

Scope of the Order

The merchandise covered by the *CLPP Order* is certain lined paper products, typically school supplies (for purposes of this scope definition, the actual use of or labeling these products as school supplies or non-school supplies is not a defining characteristic) composed of or including paper that incorporates straight horizontal and/or vertical lines on ten or more paper sheets (there shall be no minimum page requirement for looseleaf filler paper). The products are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4811.90.9035, 4811.90.9080, 4820.30.0040, 4810.22.5044, 4811.90.9050, 4811.90.9090, 4820.10.2010, 4820.10.2020, 4820.10.2030, 4820.10.2040, 4820.10.2050, 4820.10.2060, and 4820.10.4000. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive.[5]

Final Results of Changed Circumstances Review

Because no parties submitted comments opposing the Department's *Preliminary Results*, and because there is no other information or evidence on the record that calls into question the *Preliminary Results*, the Department determines that Navneet Education is the successor-in-interest to Navneet Publications for the purpose of determining antidumping duty liability.

Instructions to U.S. Customs and Border Protection

As a result of this determination, we find that Navneet Education should receive the cash deposit rate previously assigned to Navneet Publications in the most recently completed review of the antidumping duty order on certain lined paper products from India. Consequently, the Department will instruct U.S. Customs and Border Protection to collect estimated antidumping duties for all shipments of subject merchandise exported by Navneet Education and entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register** at the current cash deposit rate for Navneet Publications, which is *de minimis*.[6] This cash deposit requirement shall remain in effect until further notice.

Notification

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of

[2] *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

[1] *See Certain Lined Paper Products from India: Preliminary Results of Changed Circumstances Review*, 79 FR 21897 (April 18, 2014) (*Preliminary Results*).

[2] *See Notice of Amended Final Determination of Sales at Less Than Fair Value: Certain Lined Paper Products from the People's Republic of China; Notice of Antidumping Duty Orders: Certain Lined Paper Products from India, Indonesia and the People's Republic of China; and Notice of Countervailing Duty Orders: Certain Lined Paper Products from India and Indonesia*, 71 FR 56949 (September 28, 2006) (*CLPP Order*).

[3] *See Preliminary Results*, 79 FR at 21898.

[4] *Id.*

[5] For a complete description of the scope of the *CLPP Order*, see the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Decision Memorandum for Preliminary Results of Changed Circumstances Review: Certain Lined Paper Products from India" (Preliminary Decision Memorandum), dated concurrently with the *Preliminary Results*.

[6] *See Certain Lined Paper Products from India: Final Results of Antidumping Duty Administrative Review; 2011–2012*, 79 FR 26205, 26206 (May 7, 2014).

APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is published in accordance with sections 751(b)(1) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.216(e).

Dated: June 18, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014–14705 Filed 6–23–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–843, A–570–990]

Prestressed Concrete Steel Rail Tie Wire From Mexico and the People's Republic of China: Antidumping Duty Orders

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (the ITC), the Department is issuing antidumping duty orders on prestressed concrete steel rail tie wire (PC tie wire) from Mexico and the People's Republic of China (PRC).

DATES: *Effective Date:* June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Brian Smith (PRC) or Brandon Custard (Mexico), AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1766 or (202) 482–1823, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.210(c), on May 5, 2014, the Department published its affirmative final determinations of sales at less-than-fair-value in the antidumping duty investigations of PC tie wire from Mexico and the PRC, respectively.[1] On June 17, 2014, the ITC notified the Department of its affirmative determinations that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of PC tie wire from Mexico and the PRC.[2]

Scope of the Orders

The products covered by these orders are high carbon steel wire; stress relieved or low relaxation; indented or otherwise deformed; meeting at a minimum the physical, mechanical, and chemical requirements of the American Society of Testing Materials (ASTM) A881/A881M specification; regardless of shape, size or alloy element levels; suitable for use as prestressed tendons in concrete railroad ties (PC tie wire). High carbon steel is defined as steel that contains 0.6 percent or more of carbon by weight.

PC tie wire is classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 7217.10.8045, but may also be classified under subheadings 7217.10.7000, 7217.10.8025, 7217.10.8030, 7217.10.8090, 7217.10.9000, 7229.90.1000, 7229.90.5016, 7229.90.5031, 7229.90.5051, 7229.90.9000, and 7312.10.3012. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

Antidumping Duty Orders

As stated above, on June 17, 2014, in accordance with section 735(d) of the Act, the ITC notified the Department of its final determinations in these investigations, in which it found material injury with respect to PC tie wire from Mexico and the PRC.[3] Because the ITC determined that imports of PC tie wire from Mexico and the PRC are materially injuring a U.S. industry, all unliquidated entries of such merchandise from Mexico and the PRC, entered or withdrawn from warehouse, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, antidumping duties equal to the amounts listed below for all relevant entries of PC tie wire from Mexico and the PRC. These antidumping duties will be assessed on unliquidated entries of PC tie wire from Mexico and the PRC entered, or withdrawn from warehouse, for consumption on or after December 12, 2013, the date of publication of the preliminary determinations,[4] but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination as further described below.

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we will instruct CBP to continue to suspend liquidation on all entries of PC tie wire from Mexico and the PRC. We will also instruct CBP to require cash deposits equal to the amounts as indicated below. These instructions suspending liquidation will remain in effect until further notice.

Accordingly, effective on the date of publication of the ITC's final affirmative injury determinations, CBP will require, at the same time as importers would normally deposit estimated duties on this subject merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins listed below.[5]

Provisional Measures

Section 733(d) of the Act states that instructions issued 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 the Department to extend that four-month period to no more than six months. At the request of exporters that account for a significant proportion of PC tie wire from Mexico and the PRC, we extended the four-month period to no more than six months.[6] In the underlying investigations, the Department published the preliminary determinations on December 12, 2013. Therefore, the six-month period beginning on the date of publication of the preliminary determinations ended

[1] *See Prestressed Concrete Steel Rail Tie Wire From Mexico: Final Determination of Sales at Less Than Fair Value,* 79 FR 25571 (May 5, 2014); and *Final Determination of Sales at Less Than Fair Value: Prestressed Concrete Steel Rail Tie Wire From the People's Republic of China,* 79 FR 25572 (May 5, 2014).

[2] *See* Prestressed Concrete Steel Rail Tie Wire From Mexico and the People's Republic of China, Investigation No. 701–TA–1207 and 731–TA–1208 (Final), June 2014.

[3] *Id.*

[4] *See Prestressed Concrete Steel Rail Tie Wire from Mexico: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination,* 78 FR 75544 (December 12, 2013); and *Prestressed Concrete Steel Rail Tie Wire From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination,* 78 FR 75545 (December 12, 2013).

[5] *See* section 736(a)(3) of the Act.

[6] *See* letters to the Department from Aceros Camesa, S.A. de C.V. (Mexico), dated November 19, 2013; and from Silvery Dragon Technology and Trading Co., Ltd. Tianjin (PRC), dated November 19, 2013.

on June 10, 2014. Furthermore, section 737(b) of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination.

Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of PC tie wire from Mexico and the PRC entered, or withdrawn from warehouse, for consumption after June 10, 2014, the date the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determinations in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

The weighted-average dumping margins are as follows:

Country	Manufacturer/exporter	Weighted-average margin (percent)
Mexico	Aceros Camesa, S.A. de C.V.	9.99
	All Others	9.99
PRC	Silvery Dragon Group Technology and Trading Co. Ltd. Tianjin/Silvery Dragon Prestressed Materials Co., Ltd. Tianjin.	31.40
	PRC-wide Entity[7]	35.31

This notice constitutes the antidumping duty orders with respect to PC tie wire from Mexico and the PRC pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at *http://ia.ita.doc.gov/stats/iastats1.html*.

These orders are published in accordance with section 736(a) of the Act and section 351.211 of the Department's regulations.

Dated: June 18, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014–14708 Filed 6–23–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD345

Stock Assessment Review Committee Meeting To Review the Gulf of Maine Haddock and the Sea Scallop

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

ACTION: Notice of public meeting.

SUMMARY: NMFS and the Northeast Regional Stock Assessment Workshop (SAW) will convene the 59th SAW Stock Assessment Review committee (SARC) for the purpose of a review of the stock assessments of the Gulf of Maine (GOM) Haddock and the Sea Scallop. The public is invited to attend the presentations and discussions between the review panel and the NMFS scientists who have participated in the stock assessment process.

DATES: The public portion of the Stock Assessment Review Committee Meeting will be held from July 15 through July 17, 2014. The meeting will commence on July 15, 2014 at 10 a.m. Eastern Standard Time. See **SUPPLEMENTARY INFORMATION** for the daily meeting agenda.

ADDRESSES: The meeting will be held in the S.H. Clark Conference Room in the Aquarium Building of the National Marine Fisheries Service, Northeast Fisheries Science Center (NEFSC), 166 Water Street, Woods Hole, MA 02543.

FOR FURTHER INFORMATION CONTACT: James Weinberg, 508–495–2352; email: *James.Weinberg@noaa.gov* or Anne O'Brien, 508–495–2177; email: *Anne.O'Brien@noaa.gov*.

SUPPLEMENTARY INFORMATION: SAW is a formal scientific peer-review process for evaluating and presenting stock assessment results to managers for fish stocks in the offshore US waters of the northwest Atlantic. Assessments are prepared by SAW working groups and reviewed by an independent panel of stock assessment experts called SARC. For further information please visit the Northeast Fisheries Science Center Web site at *http://nefsc.noaa.gov/*. For additional information about the SARC Meeting and the stock assessment review of the GOM Haddock and the Sea Scallop, please visit the NMFS NEFSC SAW Web site at *http://www.nefsc.noaa.gov/nefsc/saw/*.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne O'Brien at the NEFSC, (508) 495–2177, at least 5 days prior to the meeting date.

Dated: June 18, 2014.

Emily H. Menashes,

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

[FR Doc. 2014–14727 Filed 6–23–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC521

Marine Mammals; File No. 16632

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

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that a permit has been issued to the NMFS Pacific Islands Fisheries Science Center (PIFSC), Hawaiian Monk Seal Research Program, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818 (Responsible Party: Frank Parish, Ph.D.), to conduct research and enhancement on Hawaiian monk seals (*Monachus schauinslandi*).

ADDRESSES: The permit and related documents are available for review on the following Web site: *http://www.nmfs.noaa.gov/pr/permits/monkseal16632.htm*; or, upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427–8401; fax (301)713–0376.

FOR FURTHER INFORMATION CONTACT: Amy Sloan or Courtney Smith, (301)427–8401.

SUPPLEMENTARY INFORMATION: On March 1, 2013, notice was published in the **Federal Register** (78 FR 13863) that a

[7] The PRC-wide entity includes Wuxi Jinyang Metal Products Co., Ltd. and Shanxi New-Mile International Trade Co., Ltd.

request for a permit to conduct research and enhancement on Hawaiian monk seals had been submitted by the above-named applicant. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

Permit No. 16632–00 authorizes the PIFSC to carry out research and enhancement activities designed to conserve and recover the endangered Hawaiian monk seal. Activities may occur on beaches and in nearshore waters throughout the Hawaiian Archipelago (Northwestern Hawaiian Islands [NWHI] and main Hawaiian Islands [MHI]) and Johnston Atoll, and in facilities housing captive monk seals. Research activities include visual and photographic monitoring, tagging, pelage bleach marking, health screening, foraging studies, deworming research, experimental translocation, necropsies, tissue sampling, import/export of parts, behavioral modification research, and vaccination research. Enhancement activities include translocations (excluding two-stage translocations involving moving young seals from the NWHI and releasing them in the MHI), hazing and removal of aggressive adult male seals that harm or kill other seals, disentangling, dehooking, deworming, treating injured seals in-situ, behavioral modification, vaccination, and supplemental feeding of post-release rehabilitated seals. Incidental harassment of monk seals, bottlenose dolphins (*Tursiops truncatus*), and spinner dolphins (*Stenella longistrostris*) is authorized. Research studies may also be conducted on seals in captivity. The permit expires on June 30, 2019.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), NMFS has determined that the activities proposed in Permit No. 16632–00 are consistent with the Preferred Alternative (Alternative 3: Limited Translocation) in the Final Programmatic Environmental Impact Statement for Hawaiian monk seal Recovery Actions (*http://www.nmfs.noaa.gov/pr/permits/eis/hawaiianmonksealeis.htm*), and that issuance of the permit would not have a significant adverse impact on the human environment.

As required by the ESA, issuance of this permit was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: June 18, 2014.

Tammy C. Adams,

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

[FR Doc. 2014–14626 Filed 6–23–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0098]

Proposed Collection; Comment Request

AGENCY: Office of the Deputy Assistant Secretary of Defense for Military Personnel Policy, DoD.

ACTION: Notice.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the *Paperwork Reduction Act of 1995,* the Office of the Deputy Assistant Secretary of Defense for Military Personnel Policy announces a proposed public information collection and seeks public comment on the provisions thereof. 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 shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by August 25, 2014.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Office of the Deputy Assistant Secretary of Defense for Military Personnel Policy, ATTN: Accession Policy (3D1066), 4000 Defense Pentagon, Washington, DC 20301–4000, or call 703–695–5525.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Medical Screening of Military Personnel; DD Form 2807–1: Report of Medical History; DD Form 2807–2: Medical Prescreen of Medical History Report; OMB Number: 0704–0413.

Needs and Uses: The information collection requirement is necessary per Title 10, U.S.C. Chapter 31: Section 504 and 505, and Chapter 33, section 532, which requires applicants to meet accession medical standards prior to enlistment into the Armed Forces (including the Coast Guard). If applicants' medical history reveals a medical condition that does not meet the accession medical standards, they are medically disqualified for military entrance. This form also will be used by all Service members not only in their initial medical examination but also for periodic medical examinations.

Affected Public: Individuals or Households.

Annual Burden Hours: 352,500.

Number of Respondents: 423,000.

Responses per Respondent: 1.

Average Burden per Response: 50 minutes.

Frequency: On occasion.

These forms obtain medical information which affects entrance physical examinations, routine in-service physical examinations, separation physical examinations, and other medical examinations as required. The respondents are all applicants for enlistment, induction or

commissioning, or service members. The respondents complete the medical history information recorded on the form. Medical professionals complete the remaining sections and the information collected provides the Armed Services with the medical history of applicants. The DD Forms 2807–1 and 2807–2 are the method of collecting and verifying medical data on applicants applying for entrance as well as, for service members for medical evaluation purposes.

Dated: June 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–14642 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2013–OS–0237]

Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

SUPPLEMENTARY INFORMATION:

Title, Associated Form and OMB Number: Military OneSource Case Management System (CMS)—Intake; OMB Control Number 0704–XXXX.

Type of Request: New Collection.

Number of Respondents: 900,000.

Responses per Respondent: 1.

Annual Responses: 900,000.

Average Burden per Response: 3 minutes.

Annual Burden Hours: 45,000.

Needs and Uses: The information collection requirement is necessary to support the Military OneSource Case Management System which will document an individual's eligibility; identification of the caller's inquiry or issue to provide a warm hand-off, referral and/or requested information; the development towards a final solution and referral information. Records may be used as a management tool for statistical analysis, tracking, reporting, and evaluating program effectiveness and conducting research. Information about individuals indicating a threat to self or others will be reported to the appropriate authorities in accordance with DoD/Military Branch of Service and Component regulations and established protocols.

Affected Public: Individuals or Households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Ms. Jasmeet Seehra.

Written comments and recommendations on the proposed information collection should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

You may also submit comments, identified by docket number and title, by the following method:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Patricia Toppings.

Written requests for copies of the information collection proposal should be sent to Ms. Toppings at WHS/ESD Information Management Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Dated: June 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–14637 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2013–OS–0126]

Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

SUPPLEMENTARY INFORMATION: *Title, Associated Form and OMB Number:* Dependency Statements; Parent (DD Form 137–3), Child Born Out of Wedlock under Age 21 (DD form 137–4), Incapacitated Child Over Age 21 (DD Form 137–5), Full Time Student 21–22 Years of Age (DD Form 137–6), and Ward of a Court (DD Form 137–7); OMB Control Number 0730–0014.

Type of Request: Reinstatement with Change.

Number of Respondents: 15,766.

Responses per Respondent: 1.33.

Annual Responses: 20,969.

Average Burden per Response: 50 minutes.

Annual Burden Hours: 17,474.

Needs and Uses: The information collection requirement is necessary to certify dependency or obtain information to determine entitlement to basic allowance for housing (BAH) with dependent rate, travel allowance, or uniformed services identification and privilege card. Information regarding a parent, child born out-of-wedlock, an incapacitated child over age 21, a student age 21–22, or a ward of a court is provided by the military member. A medical doctor or psychiatrist, college administrator, or a dependent's employer may need to provide information for claims. Pursuant to 37 U.S.C. 401, 403, 406, and 10 U.S.C. 1072 and 1076, the member must provide more than one half of the claimed dependent's monthly expenses. DoDFMR 700.14–R, Vol. 7A, defines dependency and directs that dependency be proven. Dependency claim examiners use the information from these forms to determine the degree of benefits. The requirement to provide the information decreases the possibility of monetary allowances being approved on behalf of ineligible dependents.

Affected Public: Individuals or Households.

Frequency: On occasion.

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

OMB Desk Officer: Ms. Jasmeet Seehra.

Written comments and recommendations on the proposed information collection should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

You may also submit comments, identified by docket number and title, by the following method:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Patricia Toppings.

Written requests for copies of the information collection proposal should be sent to Ms. Toppings at WHS/ESD Information Management Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Dated: June 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–14639 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 14–15]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 14–15 with attached transmittal and policy justification.

Dated: June 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable John A. Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

JUN 11 2014

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. 14-15, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Brazil for defense articles and services estimated to cost $131 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification

BILLING CODE 5001-06-C

Transmittal No. 14-15

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:* Brazil

(ii) *Total Estimated Value:*

Major Defense Equipment* ..	$0 million
Other	$131 million
Total	$131 million

* As defined in Section 47(6) of the Arms Export Control Act.

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* 434 M113A2MK1 Kits to upgrade M113 Armored Personnel Carriers to the M113A2MK1 configuration, spare and repair parts, support equipment, tools and test equipment, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support.

(iv) *Military Department:* Army (UUN)

(v) *Prior Related Cases, if any:* FMS case UUG–$48M–13Aug10

(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:* None

(viii) *Date Report Delivered to Congress:* 11 June 2014

Policy Justification

Brazil—M113A2MK1 Upgrade Kits

The Government of Brazil has requested a possible sale of 434 M113A2MK1 Kits to upgrade M113 Armored Personnel Carriers (APCs) to the M113A2MK1 configuration, spare and repair parts, support equipment, tools and test equipment, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support. The estimated cost is $131 million.

The proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of Brazil, which has been, and continues to be, an important force for regional stability and economic progress in South America.

Brazil will use this upgrade equipment to modernize and improve its fleet of armored personnel carriers. The M113A2MK1 APCs will provide the Brazilian Army with a more reliable, agile, and effective infantry vehicle capability. Brazil 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 BAE Systems in York, Pennsylvania. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require two U.S. Government or contractor representatives to travel to Brazil for a period of up to seven years to provide technical assistance during the upgrade of the 434 vehicles.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2014–14619 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 14–14]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 14–14 with attached transmittal and policy justification.

Dated: June 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable John A. Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

JUN 11 2014

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. 14-14, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Brazil for defense articles and services estimated to cost $110 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

J.W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification

BILLING CODE 5001-06-C

Transmittal No. 14-14

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:* Brazil

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$ 0 million
Other	$110 million
TOTAL	$110 million

* as defined in Section 47(6) of the Arms Export Control Act.

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* 40 M109A5 kits to upgrade 40 M109A5 Self Propelled Howitzers to the M109A5+ configuration, spare and repair parts, support equipment, tools and test

equipment, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support.

(iv) *Military Department:* Army (UUM)

(v) *Prior Related Cases, if any:* FMS case IAJ-$400K–5Apr13

(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:* None

(viii) *Date Report Delivered to Congress:* 11 June 2014

POLICY JUSTIFICATION

Brazil—M109A5+ Upgrade Kits

The Government of Brazil has requested a possible sale of 40 M109A5 kits to upgrade 40 M109A5 Self Propelled Howitzers to the M109A5+ configuration, spare and repair parts, support equipment, tools and test equipment, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support. The estimated cost is $110 million.

The proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of Brazil, which has been, and continues to be, an important force for regional stability and economic progress in South America.

Brazil will use this equipment to modernize its artillery capability and enhance the Brazilian Armed Forces' readiness. The reconfigured howitzers will provide the Brazilian Army with a much needed upgrade to this capability while further enhancing interoperability with U.S. and other military forces. Brazil 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 BAE Systems in York, Pennsylvania. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require two (2) U.S. Government or contractor representatives to travel to Brazil for a period of up to one (1) year to provide assistance during the upgrade of these 40 vehicles. There are no known offset agreements proposed in connection with this potential sale.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2014–14618 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

U.S. Air Force Exclusive Patent License Agency: Air Force Research Laboratory Information Directorate, Rome, New York

ACTION: Notice of intent to issue an exclusive patent license.

SUMMARY: Pursuant to the provisions of part 404 of Title 37, Code of Federal Regulations, which implements Public Law 96–517, as amended, the Department of the Air Force announces its intention to grant Advanced Automation Corporation, a corporation of New York, having a place of business at 201 Mill Street, Rome, New York 13440 an exclusive license in any right, title and interest the United States Air Force has in: U.S. Patent Application No. 12/932,344, filed on February 11, 2011 entitled "Ergonomically Designed Large Display Multipurpose Workstation."

FOR FURTHER INFORMATION CONTACT: An exclusive license for this patent will be granted unless a written objection is received within fifteen (15) days from the date of publication of this Notice. Written objections should be sent to: Air Force Research Laboratory, Office of the Staff Judge Advocate, AFRL/RIJ, 26 Electronic Parkway, Rome, New York 13441–4514. Telephone: (315) 330–2087; Facsimile (315) 330–7583.

Henry Williams,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2014–14700 Filed 6–23–14; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2014–ICCD–0065]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Loan Discharge Applications (DL/FFEL/Perkins)

AGENCY: Department of Education (ED), Federal Student Aid (FSA).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before July 24, 2014.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2014–ICCD–0065 or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted; ED will ONLY accept comments during the comment period in this mailbox when the regulations.gov site is not available.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Mailstop L–OM–2–2E319, Room 2E103,Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ian Foss, 202–377–3681.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use

of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Loan Discharge Applications (DL/FFEL/Perkins).

OMB Control Number: 1845–0058.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or households.

Total Estimated Number of Annual Responses: 30,051.

Total Estimated Number of Annual Burden Hours: 15,027.

Abstract: These forms serve as the means by which a federal student loan borrower requests a closed school, false certification, or unpaid refund discharge. The burden hours associated with this collection is increasing for one reason; mainly, that the collection is being combined with the collection with OMB Control Number 1845–0015 so that all loan discharge forms are contained in one collection with the same OMB Control Number.

Dated: June 19, 2014.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2014–14714 Filed 6–23–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2014–ICCD–0066]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; William D. Ford Federal Direct Loan Program, Federal Direct PLUS Loan Request for Supplemental Information

AGENCY: Department of Education (ED), Federal Student Aid (FSA).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before July 24, 2014.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2014–ICCD–0066 or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted; ED will ONLY accept comments during the comment period in this mailbox when the regulations.gov site is not available.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Mailstop L–OM–2–2E319, Room 2E103, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Stephanie Badger, 202–377–3229.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: William D. Ford Federal Direct Loan Program, Federal Direct PLUS Loan Request for Supplemental Information.

OMB Control Number: 1845–0103.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or households.

Total Estimated Number of Annual Responses: 1,230,000.

Total Estimated Number of Annual Burden Hours: 615,000.

Abstract: The Federal Direct PLUS Loan Request for Supplemental Information serves as the means by which a parent or graduate/professional student Direct PLUS Loan applicant may provide certain information to a school that will assist the school in originating the borrower's Direct PLUS Loan award, as an alternative to providing this information to the school by other means established by the school.

Dated: June 19, 2014.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2014–14715 Filed 6–23–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2013–OII–0146]

RIN 1894–AA04

Secretary's Proposed Supplemental Priorities and Definitions for Discretionary Grant Programs

AGENCY: Department of Education.

ACTION: Proposed priorities and definitions.

SUMMARY: To support a comprehensive education agenda, the Secretary proposes 15 priorities and related definitions for use in discretionary grant programs. These proposed priorities and definitions are intended to replace the current supplemental priorities for discretionary grant programs that were published in 2010. These priorities reflect the lessons learned from implementing discretionary grant programs, as well as our current policy objectives, and emerging needs in education.

DATES: We must receive your comments on or before July 24, 2014.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments by fax or by email, or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

- *Federal eRulemaking Portal:* Go to *www.regulations.gov* to submit your

comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "Are you new to the site?"

- *Postal Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments about these proposed priorities and definitions, address them to Margo Anderson, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W311, Washington, DC 20202–5930.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov*. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Margo Anderson, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W311, Washington, DC 20202. Telephone: (202) 205–3010 or by email: *margo.anderson@ed.gov*.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding this notice. To ensure that your comments have maximum effect in developing the notice of final priorities and definitions, we urge you to identify clearly the specific proposed priority or definition that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirement of reducing regulatory burden that might result from these proposed priorities and definitions. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of our programs.

During and after the comment period, you may inspect all public comments about this notice by accessing Regulations.gov. You may also inspect the comments in person in Room 4W335, 400 Maryland Avenue SW., Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record: On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Authority: 20 U.S.C. 1221e–3.

Proposed Priorities:

This notice contains 15 proposed priorities.

Background:

On December 15, 2010, the Department published in the **Federal Register** final supplemental priorities and definitions for discretionary grant programs (75 FR 78485), which were corrected and republished in the **Federal Register** on May 12, 2011 (76 FR 27637) (the 2010 Supplemental Priorities).

The Department proposes to repeal the 2010 Supplemental Priorities and definitions and replace them with a set of new and revised priorities and definitions for discretionary grant programs. The new priorities and definitions reflect the lessons learned from implementing discretionary grant programs using the 2010 Supplemental Priorities, our current policy objectives, and emerging needs in education. Note that we do not include priorities for building evidence of effectiveness, supporting projects for which there is moderate or strong evidence of effectiveness, or improving productivity, all of which were included in the 2010 Supplemental Priorities. These policy objectives are codified in the Education Department Grant Administrative Regulations (EDGAR), effective August 13, 2013 (see 78 FR 49338), and can be used in discretionary grant competitions through that mechanism.

To support our comprehensive education agenda, we are proposing priorities that span students' full academic and career trajectories. These priorities will support early learning and development programs that ensure children are ready to succeed in school; elementary and secondary schools and programs that keep all students on track to graduate from high school with the skills necessary to succeed in college and in their careers; and postsecondary programs, including adult educational programs, that provide individuals with the skills and knowledge they need to succeed in the workforce.

Our intent is to propose priorities that can be used widely across our discretionary grant programs, thereby aligning these programs with the Secretary's policy objectives, rather than proposing priorities specifically designed for individual programs.

This notice includes 15 proposed priorities, which are a combination of new priorities and amended versions of priorities from the 2010 Supplemental Priorities. The Department will choose which, if any, of the proposed priorities will be used for any particular discretionary grant competition; and such decisions will be made consistent with each program's current authorizing statute and regulations.

Proposed Priority 1—Improving Early Learning and Development Outcomes.

Background:

In his January 28, 2014, State of the Union address, the President repeated his request from the previous year to help states make high-quality preschool available to all children, noting that lack of access to high-quality early learning and development programs can cast a shadow over a child for the rest of his or her life. Further, research suggests that participation in high-quality early learning and development programs may lead to improved school readiness for children in the short term, as well as higher graduation rates and higher earnings in the long term.[1] Thus, through this proposed priority, the Department will support projects that are designed to improve early learning and developmental outcomes across the essential domains of school readiness (as defined in this notice) for children from birth through third grade. Further, we seek to expand on the early learning priority included in the 2010 Supplemental Priorities by also proposing to support projects designed to increase access to high-quality early learning and development programs, improve the quality and effectiveness of the early learning workforce, include preschool as part of elementary and secondary education programs and systems, and improve data-sharing, coordination, and alignment between early learning and development systems and elementary education systems.

Additionally, children from low-income families are under-represented in early learning and development programs across the country.[2] Through

[1] Yoshikawa, H., Weiland, C., Brooks-Gunn, J., Burchinal, M., Espinosa, L., Gormley, W., Ludwig, J.O., Magnuson, K.A., Phillips, D.A., & Zaslow, M.J. (2013). *Investing in our future: The evidence base on preschool education.* New York: Foundation for Child Development and Ann Arbor, MI: Society for Research in Child Development. Available at: *http://fcd-us.org/sites/default/files/Evidence%20Base%20on%20Preschool%20Education%20FINAL.pdf.*

[2] U.S. Department of Education, National Center for Education Statistics (NCES) (August 2008).

Continued

this proposed priority, the Department would support projects that increase children's access to high-quality early learning and development programs, particularly for children with high needs (as defined in this notice). High-quality early learning and development programs across the birth-through-third-grade continuum include the following elements, as appropriate: High staff qualifications, including attainment of a bachelor of arts degree for teachers; effective professional development for teachers and staff; low staff-child ratios; small class sizes; a full-day program; developmentally appropriate, evidence-based curricula and learning environments aligned with State early learning standards; employee salaries comparable to those of kindergarten through grade 12 (K–12) teaching staff; ongoing program evaluation to ensure continuous improvement; and on-site comprehensive services for children (e.g., health screenings, meals, nutrition services, family engagement strategies).

In the Race to the Top-Early Learning Challenge program, the Department collaborates with the U.S. Department of Health and Human Services to emphasize that an early learning and development system is most effective for children when seamlessly coordinated with an elementary education system.[3] This coordination may include, alone or in combination, aligning standards, comprehensive assessments, data systems, workforce systems, family engagement, and health promotion strategies. By aligning and coordinating early learning and development systems and elementary education systems, children are more likely to enter kindergarten ready to succeed and to sustain improved outcomes through the early elementary years. This proposed priority aims to support projects that will provide all children with a high-quality foundation that will prepare them for success in school and in life.

Proposed Priority 1—Improving Early Learning and Development Outcomes.

Projects that are designed to improve early learning and development outcomes across one or more of the essential domains of school readiness (as defined in this notice) for children from birth through third grade (or for any age group within this range) through a focus on one or more of the following:

(a) Increasing access to high-quality early learning and development programs and comprehensive services, particularly for children with high needs (as defined in this notice).

(b) Improving the quality and effectiveness of the early learning workforce so that early childhood educators have the knowledge, skills, and abilities necessary to improve young children's health, social-emotional, and cognitive outcomes.

(c) Improving the coordination and alignment between early learning and development systems and elementary education systems, in accordance with applicable privacy laws, to improve transitions for children from birth through third grade.

(d) Including preschool as part of elementary education programs and systems in order to expand opportunities for preschool students and teachers.

(e) Sustaining improved early learning and development outcomes throughout the early elementary school years.

Proposed Priority 2—Influencing the Development of Non-Cognitive Factors.

Background:

A promising body of research suggests that non-cognitive factors play an important role in students' academic, career, and life outcomes.[4] Non-cognitive factors include a broad range of behaviors, strategies, and attitudes, such as academic behaviors (e.g., attendance, homework completion), academic mindsets (e.g., sense of belonging in the academic community, believing academic achievement improves with effort), perseverance (e.g., tenacity, self-discipline), social and emotional skills (e.g., cooperation, empathy, adaptability), and approaches toward learning strategies (e.g., executive functions, attention, goal-setting, curiosity, problem solving, self-regulating learning, study skills).[5] With this proposed priority, the Department intends to support projects that develop and strengthen students' mastery of non-cognitive skills and behaviors so that they develop and attain the skills necessary for success in school, career, and life.

This proposed priority is new and was not included in the 2010 Supplemental Priorities.

Proposed Priority 2—Influencing the Development of Non-Cognitive Factors.

Projects that are designed to improve students' mastery of non-cognitive skills and behaviors (e.g., academic behaviors, academic mindset, perseverance, self-regulation, social and emotional skills, and approaches toward learning strategies) and enhance student motivation and engagement in learning.

Proposed Priority 3—Promoting Personalized Learning.

Background:

Personalized learning (as defined in this notice) aims to differentiate content, tools, and materials for each learner so that he or she can meet college- and career-ready standards. Teacher and student interactions are strengthened when, through ongoing personalized assessments, a teacher has access to timely and targeted information about each student's particular needs and interests.

Personalized learning can be implemented through use of digital tools, adopting universal design principles, and aligning activities during non-school hours with students' unique needs. When well designed and appropriately implemented, personalized learning can narrow achievement gaps by using academic interventions that promote excellence. For example, a recent large-scale effectiveness study found that a technology-based, personalized, and blended-learning mathematics curriculum could effectively raise a high school student from the 50th to the 58th percentile.[6] This sort of intervention has great potential to narrow achievement gaps between groups of students.

At its most effective, personalized learning can inspire students at all levels by effectively challenging those students who are furthest ahead on a specific topic, providing targeted assistance to those furthest behind, and engaging with the students in the middle. Personalized learning supports mastery-based differentiation, which also allows for regrouping students as appropriate.

This proposed priority aims to support projects that use personalized learning to prepare students to master the content and skills required for college- and career-readiness.

This proposed priority is new and was not included in the 2010 Supplemental Priorities.

Proposed Priority 3—Promoting Personalized Learning.

School Readiness Survey of the National Household Education Survey (NHES), 2007. Available at: *http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2008051.*

[3] More information on the Race to the Top-Early Learning Challenge program is available at: *http://www2.ed.gov/programs/racetothetop-earlylearningchallenge/index.html.*

[4] The University of Chicago Consortium of Chicago School Research (June 2012). Teaching Adolescents to Become Learners: The Role of Noncognitive Factors in Shaping School Performance. Available at: *http://raikesfoundation.org/Documents/Teaching%20Adolescents%20to%20Become%20Learners%20(CCSR%20Literature%20Review%20June%202012).pdf.*

[5] Ibid.

[6] Pane, John F., et al. (2013). Effectiveness of Cognitive Tutor Algebra I at Scale. Rand Corporation. Available at: *www.rand.org/pubs/external_publications/EP50410.html.*

Projects that are designed to improve student academic outcomes and close academic opportunity or attainment gaps through one of the following:

(a) Implementing personalized learning (as defined in this notice) approaches that will ensure appropriate support and produce academic excellence for all students.

(b) Awarding credit or digital credentials (as defined in this notice) based on personalized learning or adaptive assessments of academic performance, cognitive growth, or behavioral improvements and aligned with college- and career-ready standards.

Proposed Priority 4—Improving Academic Outcomes for High-Need Students.

Background:

The Department is committed to pursuing equity at all stages of education, from birth through adulthood, and aims to ensure that all students are afforded the opportunity to succeed academically. However, persistent and significant gaps in achievement still exist between high-need students (as defined in this notice)[7] and their more advantaged peers. By supporting projects that improve student learning or encourage targeted subgroups of students to develop new skills, the Department is furthering its commitment to ensure that all students have the opportunity to succeed academically and to learn essential skills that support success in their careers and in life.

We included a similar priority in the 2010 Supplemental Priorities, which focused on accelerating learning and improving high school graduation rates for high-need students. Adding these groups to the proposed priority would allow for broader use across the Department's discretionary grant programs. In addition to including an expanded set of student subgroups, we are also revising this priority to support projects that are designed to improve academic outcomes or learning environments.

Proposed Priority 4—Improving Academic Outcomes for High-Need Students.

Projects that are designed to improve:

(a) Academic outcomes, or

(b) Learning environments, for one or more of the following groups of students:

(i) High-need students (as defined in this notice).

(ii) Students in rural local educational agencies (as defined in this notice).

(iii) Students with disabilities.

(iv) English learners.

(v) Students in lowest performing schools (as defined in this notice).

(vi) Students who are living in poverty and are served by schools with high concentrations of students living in poverty.

(vii) Disconnected youth, such as youth who are homeless, in foster care, have come into contact with the juvenile justice system, unemployed, or are not enrolled in an educational institution, or migrant youth.

(viii) Low-skilled adults (as defined in this notice).

Proposed Priority 5—Increasing Postsecondary Access, Affordability, and Completion.

Background:

Postsecondary education, including career and technical education, is increasingly necessary for individuals to compete in a global economy. Therefore, the Nation must boost completion rates for associate's and bachelor's degrees, as well as for industry-recognized credentials or certificates. The President has set a goal that, by 2020, the United States will have the highest proportion of college graduates in the world. This proposed priority aligns with the President's goal by supporting projects that prepare students, particularly high-need students (as defined in this notice), for college and careers; enroll more students in postsecondary education; and increase the number of those who complete programs of study with a degree or certificate. This proposed priority also supports career and technical training that provides students with the knowledge and skills to succeed in the workforce.

With this proposed priority, we also aim to support adult learners who must first strengthen their basic skills before they are able to succeed in postsecondary education. Basic skills may include reading, comprehension, and mathematic skills, as well as abstraction, system thinking, and experimentation. Basic skills may also include workforce-related skills, such as timeliness, responsibility, cooperation, and communication.

In addition to supporting projects that prepare students for college and careers, we must improve students' ability to afford postsecondary education, including career and technical education. The average net cost of a college education has risen for many undergraduates, particularly full-time students attending four-year public colleges and universities,[8] widening the affordability gap. Giving students the information they need to select the institution most appropriate to their academic abilities, as well as their personal, professional, and financial goals, is essential. Further, making true college costs transparent and providing students more affordable college options will allow students to make informed choices from a meaningful range of college options. Another strategy for reducing the cost of education while also improving the quality of teaching and learning is through developing and implementing high-quality online, credit-bearing, and accessible learning opportunities. Such strategies may help achieve the President's goal of the United States having the highest proportion of college graduates in the world.

The 2010 Supplemental Priorities also included a priority on postsecondary success. We are revising the priority to focus specifically on access, affordability, and completion of postsecondary education, including career and technical education, to further support the President's goal.

Proposed Priority 5—Increasing Postsecondary Access, Affordability, and Completion.

Projects that are designed to address one or more of the following:

(a) Reducing the net cost, median student loan debt, and student loan default rate for high-need students (as defined in this notice) who enroll in college, other postsecondary education, or other career and technical education.

(b) Increasing the number and proportion of high-need students (as defined in this notice) who are academically prepared for, enroll in, or complete on time college, other postsecondary education, or other career and technical education.

(c) Increasing the number and proportion of high-need students (as defined in this notice) who, through college preparation, awareness, recruitment, application, selection, and other activities and strategies, enroll in or complete college, other postsecondary education, or other career and technical education.

(d) Increasing the number of individuals who return to the educational system to obtain a regular high school diploma or its recognized equivalent; enroll in and complete college, other postsecondary education, or career and technical training; or obtain basic and academic skills needed

[7] Note that the definition of "high-need student" is not limited to students of a certain grade or age. Accordingly, a high-need student could be a student in an early learning and development program, a student in elementary or secondary school, a postsecondary student, or an adult learner.

[8] The College Board. Trends in College Pricing 2012. Available at: *http://trends.collegeboard.org/college-pricing.*

to succeed in college, other postsecondary education, other career and technical education, or the workforce.

(e) Increasing the number and proportion of high-need students (as defined in this notice), particularly low-skilled adults (as defined in this notice), adults with disabilities, and disconnected youth or youth who are at risk of becoming disconnected, who enroll in and complete postsecondary programs.

(f) Supporting the development and implementation of high-quality online or hybrid credit-bearing and accessible learning opportunities that reduce the total cost of higher education, accelerate time to degree completion, or allow students to progress at their own pace.

Proposed Priority 6—Improving Job-Driven Training and Employment Outcomes.

Background:

In his January 28, 2014, State of the Union address, the President introduced an effort to "train Americans with the skills employers need and match them to good jobs that need to be filled right now." Research suggests that the most successful strategies for effective job-driven training are those that closely align training with local labor market needs. For example, one successful approach is encouraging local agencies to foster sector partnerships with local industry. Such employment and training strategies have increased both employment rates and earnings by obtaining accurate workforce needs assessments from local business and industry groups.[9] In addition, programs that connect workers directly to the labor market through subsidized employment and registered apprenticeships have seen promising results.[10] [11]

However, despite recent employment gains, far too many hard-working individuals have not been able to find a job or increase their earnings, and many businesses report difficulty hiring workers with the right skills for jobs they want to fill. The Department, in collaboration with other Federal agencies, is working to ensure its career, technical, and adult education and training programs and policies are aligned with the President's job-driven training goals and assist individuals to acquire the skills necessary to pursue in-demand jobs and careers and obtain employment. In addition to programs administered by the Department's Office of Career, Technical, and Adult Education, the Vocational Rehabilitation (VR) State Grants Program provides a wide range of services designed to assist individuals with disabilities to prepare for, obtain, and retain employment. The VR Grants Program is the largest Federal training program.

Through this proposed priority, the Department would support projects that align programs in the workforce and training system to equip the Nation's workers with skills matching the needs of employers looking to hire. It is imperative that employers identify the skills and credentials required for in-demand jobs; have multiple mechanisms for finding workers who have or can acquire those skills; and help develop training programs. Workers and job seekers must have access not only to education and training that meets their unique needs, skills, and abilities, but also assistance from personnel with the requisite education, skills, and experience to provide employment counseling that will enable them to acquire jobs that lead to meaningful careers. This proposed priority was not included in the 2010 Supplemental Priorities and is proposed to reflect the Department's current policy goals.

Proposed Priority 6—Improving Job-Driven Training and Employment Outcomes.

Projects that are designed to improve job-driven training and employment outcomes through a focus on one or more of the following:

(a) Increasing employer engagement (as defined in this notice).

(b) Providing work-based learning opportunities (e.g., Registered Apprenticeship, other apprenticeships, internships, externships, on-the-job training, co-operative learning, practica, and work experience) for low-skilled adults (as defined in this notice) or other high-need students (as defined in this notice).

(c) Integrating education and training into a career pathways program or system that offers connected education and training, related stackable credentials, and other support services that enable low-skilled adults (as defined in this notice) or other high-need students (as defined in this notice) to secure industry-relevant certification and obtain employment within an occupational area with the potential to advance to higher levels of future education and employment in that area.[12]

(d) Providing labor market information, career information, advising, counseling, job search assistance, and other supports including performance-based or other income supports or stipends, transportation and child care assistance and information, or others as deemed appropriate.

(e) Improving the knowledge and skills of personnel and service providers that will enable such providers to better assist their customers to obtain the competencies and job skills required in the competitive labor market.

Proposed Priority 7—Promoting Science, Technology, Engineering, and Mathematics Education.

Background:

The demand for highly skilled workers in many fields is projected to outpace the number of qualified workers. To meet the needs of the labor market and spur an increase in technological innovation, creation, and study across the Nation, the Department proposes this priority to support the education and training of individuals in fields that draw heavily on science, technology, engineering, and mathematics (STEM) knowledge, such as health care, advanced manufacturing, clean energy, and information technology.

It is essential to the health of our economy to increase the number of students attracted to and prepared for careers in STEM and to increase the proportion of students who are from groups historically under-represented in these careers (e.g., minorities, individuals with disabilities, and women), and to retain all of these students in STEM fields.

The 2012 report from the President's Council of Advisors on Science and Technology (PCAST) estimated that about 40 percent of all students who start their postsecondary degree in a STEM field will finish their program. Moreover, even among those who attained a bachelor's degree in a STEM field, only about 56 percent of those working for pay one year after graduation worked in a STEM-related career.[13] Therefore, we propose to revise the priority on STEM from the 2010

[9] Maguire, Sheila et al. 2010. Findings from the Sectoral Employment Impact Study. New York: Public/Private Ventures.

[10] Reed, Debbie et al. 2012. An Effectiveness Assessment and Cost-Benefit Analysis of Registered Apprenticeship in 10 States. Oakland, CA: Mathematica Policy Research.

[11] Gennetian, Lisa A., Cynthia Miller, and Jared Smith. 2005. Turning Welfare into Work Support: Six-Year Impacts on Parents and Children from the Minnesota Family Investment Program. New York: MDRC.

[12] Examples of such integration may include partnering or coordinating with other programs that provide job training and employment services, including American Job Centers and other programs authorized by the Workforce Investment Act.

[13] The President's Council of Advisors on Science and Technology (PCAST) (February 2012). Engage to Excel: Producing One Million Additional College Graduates with Degrees in Science, Technology, Engineering and Mathematics. Available at: *www.whitehouse.gov/sites/default/files/microsites/ostp/pcast-engage-to-excel-final_feb.pdf.*

Supplemental Priorities to address access to, and persistence in, rigorous and engaging STEM coursework. To increase students' engagement and interest in STEM fields, it is imperative that students are provided opportunities to pursue rigorous STEM coursework and gain research experience prior to entering postsecondary study and the workforce.

In addition, because of continued issues facing the STEM P–12 teaching profession, including teacher shortages and staffing difficulties, the President has challenged governors, philanthropists, scientists, engineers, educators, and the private sector to join a national campaign to find new ways to recruit, train, reward, and retain STEM teachers and to collectively prepare 100,000 STEM teachers over the next decade. Recruitment efforts that attract the best talent into STEM teaching will improve student learning and engagement in STEM subjects. Finally, ensuring STEM teachers have adequate knowledge of the subjects they are teaching and the ability to teach them will improve effectiveness and relevance of instruction in STEM subjects. This priority would also help to bolster local or regional partnerships that enhance students' access to real-world STEM experiences and teachers' access to high-quality STEM-related professional learning.

Proposed Priority 7—Promoting Science, Technology, Engineering, and Mathematics Education.

Projects that are designed to improve student achievement (as defined in this notice) or other related outcomes by addressing one or more of the following:

(a) Increasing the preparation of teachers or other educators in STEM subjects, including teachers of career and technical education, through activities that may include building content knowledge and pedagogical content knowledge, and increasing the number and quality of authentic STEM experiences (as defined in this notice).

(b) Providing students with increased access to rigorous and engaging STEM coursework and authentic STEM experiences (as defined in this notice).

(c) Identifying and implementing instructional strategies, systems, and structures that improve postsecondary learning and retention, resulting in completion of a degree in a STEM field.

(d) Increasing the number of individuals from groups historically under-represented in STEM, including minorities, individuals with disabilities, and women, who are provided with access to rigorous and engaging coursework in STEM or who are prepared for postsecondary study and careers in STEM.

(e) Supporting local or regional partnerships to give students access to real-world STEM experiences and to give educators access to high-quality STEM-related professional learning.

Proposed Priority 8—Implementing Internationally Benchmarked College- and Career-Ready Standards and Assessments.

Background:

Since 2009, 45 States and the District of Columbia have partnered in a State-led effort to develop common, internationally benchmarked college- and career-ready standards in English language arts and mathematics for elementary and secondary school students. Three other States are implementing their own college- and career-ready standards. In order to ensure effective implementation of these college- and career-ready standards and thereby further the goal of preparing students to compete in a global economy, it is essential to develop and implement teacher and principal preparation and professional development programs; student assessments or performance-based tools aligned with the standards, including adaptive assessments, simulations, and performance tasks; and other strategies that translate the standards and assessment data into classroom practices that meet the needs of all students, including English learners and students with disabilities.

The Department has emphasized the importance of high-quality formative, interim, and summative assessments to measure the extent to which students are meeting or exceeding college- and career-ready standards. States that set clear, high expectations for students must be able to assess and accurately measure student performance against those expectations. Projects that are designed to implement these standards and assessments will improve teaching and learning and can support greater accountability to students, families, and school or district staff by providing timely, relevant, and actionable information about student learning over time.

A version of this priority was included in the 2010 Supplemental Priorities under a slightly different title. In this notice, we are proposing minor changes to the previous priority.

Proposed Priority 8—Implementing Internationally Benchmarked College- and Career-Ready Standards and Assessments.

Projects that are designed to support the implementation of and transition to internationally benchmarked college- and career-ready standards and assessments, including projects in one or more of the following:

(a) Developing and implementing student assessments (e.g., formative assessments, interim assessments, summative assessments) or performance-based tools aligned with those standards and accessible to all students.

(b) Developing and implementing professional development or teacher preparation programs that are aligned with those standards.

(c) Developing and implementing strategies that translate the standards and information from assessments into classroom practices that meet the needs of all students.

Proposed Priority 9—Improving Teacher Effectiveness and Promoting Equal Access to Effective Teachers.

Background:

It is well established that teacher effectiveness contributes more to student academic outcomes than any other in-school measure; yet, there is dramatic variation in teacher effectiveness within and across schools, including significant inequity in students' access to effective teachers, particularly for low-income and minority students.

As such, it is essential to attract a high-performing and diverse pool of talented individuals into the teaching profession and to ensure that they have access to high-quality preparation programs that have high standards for successful completion. Equally important is supporting and retaining effective teachers through practices such as creating or enhancing opportunities for professional growth, reforming compensation and advancement systems, and creating conditions for successful teaching and learning. As part of their teacher development efforts, local educational agencies (LEAs or districts) should have in place strategies for ensuring teacher success, such as evaluation and support systems that consider multiple measures including student growth (as defined in this notice) and that result in actionable feedback, support, and incentives for improvement at every stage of a teacher's career.

In the 2010 Supplemental Priorities, we included a single priority that supported projects focused on both teachers and principals. This notice includes separate priorities for projects supporting teachers and principals. By creating separate priorities, discretionary grant programs can choose to focus on either teachers or principals and are provided the opportunity for more targeted support to each group.

This proposed priority focuses solely on strengthening teacher recruitment, selection, preparation, development, retention, support, recognition, assessment, and reach in ways that are consistent with the Department's policy goals for professionalizing teaching, improving outcomes for all students, and ensuring that low-income students and minority students have equal access to effective teachers. This priority would encourage grantees to exceed the requirements of Section 1112(c)(1)(L) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) by focusing on effective teachers measured using a high-quality teacher evaluation and support system (as defined in this notice).

Proposed Priority 9—Improving Teacher Effectiveness and Promoting Equal Access to Effective Teachers.

Projects that are designed to address one or more of the following:

(a) Increasing the number and percentage of effective teachers in lowest performing schools (as defined in this notice) or schools with high concentrations of low-income and minority students, through such activities as:

(1) Improving the preparation, recruitment, selection, and early career development of teachers; implementing performance-based certification systems; reforming compensation and advancement systems; and reforming hiring timelines and systems.

(2) Improving the retention of effective teachers through such activities as creating or enhancing opportunities for teachers' professional growth; reforming compensation and advancement systems; and improving workplace conditions to create opportunities for successful teaching and learning; or

(b) Promoting equal access to effective teachers for low-income and minority students across and within schools and districts.

For the purposes of this priority, teacher effectiveness must be measured using a high-quality teacher evaluation and support system (as defined in this notice).

Proposed Priority 10—Improving the Effectiveness of Principals.[14]

Background:

While there is no overall shortage of candidates who have the credentials States require for principals, these candidates are often ill-prepared to meet the demands of the principal position.[15] Both novice and experienced principals often lack the necessary skills and support to respond to the increased pressures of their positions, such as changes to evaluation systems and the implementation of key organizational processes in their schools. The quality, not the quantity, of credentialed candidates for principal positions is a common criticism of principal preparation programs. Specifically, many district leaders and policy makers are critical of principal preparation programs that lack a rigorous screening and selection process for program candidates, courses that are aligned with standards of practice, and clinical experiences.[16] Additionally, once credentialed candidates become principals, they are often not provided the necessary support and development opportunities that enable them to enhance their skills, particularly in shaping a strong professional community and collective responsibility for student learning by evaluating and providing feedback to teachers, analyzing student data, developing school leadership teams, and creating a positive school climate.

This proposed priority underscores the value of principals and takes into account the influence principals have over teacher effectiveness and student achievement in their schools.[17] Through this proposed priority, we seek to support projects that expand the pool of effective and highly effective principals, support ongoing professional development that is aligned with principals' needs, and build district capacity and systems that will provide principals the instructional focus, core leadership competencies, support, policies, and conditions that will positively affect the schools they lead.

As noted in the background discussion of proposed priority 9, we propose to separate priorities addressing teachers and principals, therefore allowing discretionary grant programs to focus on either teachers or principals in a manner that is specific to each group's unique needs.

Proposed Priority 10—Improving the Effectiveness of Principals.

Projects that are designed to increase the number and percentage of highly effective principals by addressing one or more of the following:

(a) Creating or expanding practices and strategies to recruit, select, prepare, and support talented individuals to lead and significantly improve instruction in the lowest performing schools (as defined in this notice) or schools with high concentrations of high-need students (as defined in this notice).

(b) Identifying, implementing, and supporting policies and school conditions that facilitate efforts by principals to turn around lowest performing schools (as defined in this notice).

(c) Creating or expanding principal preparation programs that include clinical experiences, induction and other supports for program participants, strategies for tracking the effect program graduates have on teaching and learning, and coursework that is aligned with pre-kindergarten through grade 12 college- and career-ready standards.

(d) Implementing professional development for current principals, especially in lowest performing schools (as defined in this notice), that is designed to improve teacher and student learning by supporting principals in their mastery of essential instructional and organizational leadership skills.

(e) Implementing practices or strategies that support districts in hiring, evaluating, and supporting principals to effectively lead schools.

For the purposes of this priority, principal effectiveness must be measured using a high-quality principal evaluation and support system (as defined in this notice).

Proposed Priority 11—Leveraging Technology to Support Instructional Practice and Professional Development.

Background:

Leveraging technology to support instructional practice and professional development is crucial to ensure Americans have access to a high-quality education and are prepared to be globally competitive. Schools, educators, students, and families all benefit when effective digital tools and materials are thoughtfully integrated into classrooms and communities.

Technology can accelerate or enhance the implementation of the other priorities proposed in this document by:

- Providing personalized data for early learning providers;
- Assessing and supporting students' mastery of non-cognitive skills and behaviors;
- Enabling the creation of personalized learning environments;

[14] For the purposes of this priority, the term "principal" may also refer to an assistant principal.

[15] Roza, M., Celio, M.B., Harvey, J., & Wishon, S. (January 2003). A Matter of Definition: Is there Truly a Shortage of School Principals? A Report to the Wallace—Reader's Digest Fund.

[16] Hale, E.L., & Moorman, H.N. (September 2003). Preparing School Principals: A National Perspective on Policy and Program Innovations. Institute for Educational Leadership.

[17] Clifford, M., et al. Practical Guide to Designing Comprehensive Principal Evaluation Systems (April 2012). Available at: *www.gtlcenter.org/products-resources/online-practical-guide-designing-comprehensive-principal-evaluation-systems.*

- Targeting and differentiating material specifically for high-need students (as defined in this notice);
- Increasing access to higher education and reducing instructional costs;
- Accessing open educational resources (as defined in this notice) aligned with internationally benchmarked college- and career-ready standards;
- Supporting teachers in sharing best practices and collaborating with experts to improve instructional approaches;
- Encouraging teacher observation and principal feedback;
- Engaging more effectively with diverse families and communities;
- Providing access to advanced coursework and other learning opportunities where otherwise not available; and
- Increasing the reach of highly effective teachers, particularly for students in rural and isolated areas.

While the use of digital tools was part of the 2010 Supplemental Priorities, we are revising this priority to include more specific strategies to promote technology integration and enhance student and educator learning. This proposed priority would explicitly support projects that help students and educators take full advantage of access to high-speed Internet, digital tools and materials, and open educational resources (as defined in this notice).

Proposed Priority 11—Leveraging Technology to Support Instructional Practice and Professional Development.

Projects that are designed to leverage technology through one or more of the following:

(a) Using high-need Internet access and devices that increase students' and educators' access to high-quality digital tools, materials, and assessments, particularly open educational resources (as defined in this notice).

(b) Developing and implementing high-quality accessible digital tools, materials, and assessments that are aligned to rigorous college- and career-ready standards.

(c) Developing and implementing high-quality, accessible online courses, learning communities, or simulations, including those for which educators could earn professional development credit or continuing education units through digital credentials (as defined in this notice) based on demonstrated mastery of competencies and performance-based outcomes, instead of traditional time-based metrics.

(d) Using data platforms that enable the development, visualization, and rapid analysis of data to produce evidence on teaching and learning, while also protecting privacy in accordance with applicable laws.

Proposed Priority 12—Promoting Diversity.

Background:

The 2010 Supplemental Priorities included a priority on diversity that allows the Department to give priority to projects that "are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation." In announcing this priority in 2010, we noted that LEAs and postsecondary institutions have found that "providing diverse learning environments . . . can provide substantial educational benefits." To further this goal, in 2011 and again in 2013, the Department, in conjunction with the U.S. Department of Justice, issued guidance regarding the use of race and ethnicity to promote diversity and reduce racial isolation.[18]

The Department continues to encourage schools, school districts, and postsecondary institutions to take lawful steps to increase student body diversity based on race and ethnicity, and, in the case of school districts, to avoid racial isolation. Any steps taken by school districts and postsecondary institutions to further these efforts must be done in accordance with applicable law, including United States Supreme Court precedent, and the guidance should be helpful in that respect.

Promoting diversity is a compelling educational goal for students from many backgrounds. Today's global economy demands that students graduate ready to interact with individuals from all walks of life and experience. LEAs and postsecondary institutions have a critical role in preparing students for success in an increasingly diverse workforce and society, and can help students reap substantial educational benefits by providing them with learning environments in which they can develop important skills, such as the ability to communicate and collaborate with peers of different backgrounds, perspectives, and abilities.

The 2010 priority highlighted racial and ethnic diversity, but did not preclude an applicant from receiving priority consideration for proposing projects promoting diversity in other ways, such as diversity based on socioeconomic status, another objective of Federal education programs. Consequently, the proposed diversity priority also covers projects that promote student body diversity based on other factors, including a student's socioeconomic status. Highlighting efforts to promote diversity based on socioeconomic status is also consistent with the 2011 and 2013 guidance documents, which explain that schools, school districts, and postsecondary institutions may elect to take account of students' socioeconomic status to achieve student body racial and ethnic diversity and, in the case of preschool, elementary, or secondary programs, to avoid racial isolation.

Proposed Priority 12—Promoting Diversity.

Projects that are designed to prepare students for success in an increasingly diverse workforce and society by increasing the diversity, including racial, ethnic, and socioeconomic diversity, of students enrolled in schools or postsecondary programs; or in the case of preschool, elementary, or secondary programs, decreasing the racial, ethnic, or socioeconomic isolation of students served by the project.

Proposed Priority 13—Improving School Climate, Behavioral Supports, and Correctional Education.

Background:

For all students to have the best chance for academic success, it is imperative they attend safe schools with nurturing climates that support active academic engagement through comprehensive supports for their physical, mental, and behavioral well-being. Too many students are negatively affected by violence, bullying, and exclusionary discipline practices, including suspension, expulsion, and unnecessary placement in alternative educational programs. The Department's Civil Rights Data Collection indicates that, for districts that reported expulsions, Hispanic and African American students represent 56 percent of the students expelled, but only 40 percent of the enrolled students in these districts. Additionally, students covered under the Individuals with Disabilities Education Act (IDEA) were twice as likely as students who were not covered under IDEA to be suspended from school at least once.[19] Identifying and addressing the causes for disproportionate discipline and reducing school discipline practices that remove students from the learning environment will increase opportunities for student success.

Similarly, too many individuals who are or who have been incarcerated lack

[18] Available at: *http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201111.html* and *www.ed.gov/news/press-releases/new-guidance-supports-voluntary-use-race-achieve-diversity-higher-education.*

[19] The Civil Rights Data Collection: Issue Brief No. 1: School Discipline. (March 2014). Available at: *http://ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf.*

access to high-quality education or job training programs that will support their reintegration into the community. According to a recent study, inmates who participated in correctional education programs were, on average, 13 percentage points less likely to return to prison than inmates who did not participate in such programs.[20] Providing these individuals with the skills and knowledge essential for their futures will assist them in their transition to becoming productive citizens and decrease the likelihood of recidivism.

The 2010 Supplemental Priorities broadly addressed school climate. Through this proposed priority, we focus on specific challenges related to school climate, including disparities in and overuse of exclusionary discipline practices, and add a focus on social, emotional, and behavioral supports.[21] In supporting projects that improve school climate and reduce school discipline issues, assess and address the root causes of disproportionate discipline, and improve the quality of education programs in juvenile justice and adult correctional facilities, the Department aims to support projects that support positive student behavior and students' success in college and in their careers.

Proposed Priority 13—Improving School Climate, Behavioral Supports, and Correctional Education.

Projects that are designed to improve student outcomes through one or more of the following:

(a) Improving school climate through strategies that may include establishing tiered behavioral supports (as defined in this notice) or strengthening student social, emotional, and behavioral skills.

(b) Reducing or eliminating disparities in school disciplinary practices and the use of exclusionary discipline (such as suspensions, expulsions, and unnecessary placements in alternative education programs) for particular groups of students, including minority students and students with disabilities, by identifying and addressing the root causes of such disparities.

(c) Improving the quality of education programs in juvenile justice facilities (such as detention facilities and secure and non-secure placements) or adult correctional facilities, and linking the youth or adults to education or job training programs post-release.

Proposed Priority 14—Improving Parent, Family, and Community Engagement.

Background:

In order for families to be meaningfully engaged in their children's education and development, they must have a sense of shared responsibility with schools and communities for their children's academic outcomes. They must also have opportunities to support learning and school improvement and feel that their engagement is welcomed and supported by school and district staff.

In the 2010 Supplemental Priorities, we included a single priority that combined efforts to improve family and community engagement with efforts to improve school engagement, environment, and safety. This proposed priority would separate efforts to improve parent, family, and community engagement from those focused on improving school engagement, environment, and safety. Further, the 2010 priority addressed improving parent and family engagement broadly. Under this proposed priority, however, we would specify and expand on the types of projects we would like to support.

For example, this proposed priority would support the alignment of the Department's policies, practices, and programs concerning parent and family engagement (as defined in this notice) and community engagement (as defined in this notice). We view family engagement as a shared responsibility from cradle to career that takes place across multiple settings (i.e., home, school, and community). Further, this proposed priority focuses on building the capacity of parents, families, communities, and school and district staff to support academic achievement. This capacity-building focus can be integrated into many aspects of a school's or LEA's strategy to achieve learning goals, including the recruitment and training of effective teachers and leaders, the mechanisms used to evaluate and assess both teachers and students, and the tools that provide parents with access to information about students' academic progress and performance and information on how to use that data to support their children's education.

Proposed Priority 14—Improving Parent, Family, and Community Engagement.

Projects that are designed to improve students' academic outcomes through one or more of the following:

(a) Developing and implementing systemic initiatives (as defined in this notice) to improve parent and family engagement (as defined in this notice) by expanding and enhancing the skills, strategies, and knowledge (i.e., techniques needed to effectively communicate, advocate, support, and make informed decisions about the student's education) of parents and families.

(b) Providing professional development that enhances the skills and competencies of school leaders, principals, teachers, or other administrative and support staff to build meaningful relationships with students' parents or families.

(c) Implementing initiatives that improve community engagement (as defined in this notice) or the relationships between parents or families and school staff by cultivating sustained partnerships (as defined in this notice).

Proposed Priority 15—Supporting Military Families and Veterans.

Background:

There are more than 1.2 million school-aged children who have at least one parent that is a member of the uniformed services.[22] Approximately 10 percent of those children have a parent deployed to a combat zone, and students of deployed parents can live in any community across our Nation and attend any school. Research suggests that military children experience stressors due to relocation that can negatively affect student achievement and participation in school activities. A 2010 military family lifestyle survey found that 34 percent of respondents are "less or not confident" that their children's school is responsive to the unique aspects of military family life.[23]

Through a memorandum of understanding, the Department of Education and the Department of Defense acknowledge the unique educational needs and challenges faced by the children of military servicemen and women, including the need to reduce the negative consequences of frequent relocations and absences. Additionally, on April 27, 2012, the President signed Executive Order 13607, "Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members." In implementing the

[20] Rand Corporation (2013). Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs that Provide Education to Incarcerated Adults. Available at: *www.bja.gov/Publications/RAND_Correctional-Education-Meta-Analysis.pdf.*

[21] Luiselli, J.K., Putnam, R.F., Handler, M.W., Feinberg, A.B. (2005). Whole-School Positive Behaviour Support: Effects on student discipline problems and academic performance. Educational Psychology, 25 (2–3), 183–198.

[22] Strengthening Our Military Families: Meeting America's Commitment (January 2011). Available at: *www.defense.gov/home/features/2011/0111_initiative/Strengthening_our_Military_January_2011.pdf.*

[23] Blue Star Families. 2010 Military Family Lifestyle Survey (May 2010). See *http://bluestarfam.org/Policy/Surveys/Survey_2010.*

Executive order, the U.S. Department of Veterans Affairs has established seven Principles of Excellence that encourage institutions of higher education (IHEs) to support veterans. Building on that initiative, the Department developed the "Eight Keys to Veterans' Success," which highlight specific ways that IHEs can support veterans in their pursuit of higher education and employment.

This proposed priority aims to ensure the healthy development of military children, including children of active duty service members and veterans, and to improve educational experiences and career opportunities for students who are active duty or reserve component service members, spouses of active duty or reserve component service members, and veterans. Additionally, through this proposed priority, we would update the 2010 priority to encourage better alignment between projects we support and the President's Executive order.

Proposed Priority 15—Supporting Military Families and Veterans.

Projects that are designed to address the needs of military- or veteran-connected students (as defined in this notice).

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Proposed Definitions:

Background:

We propose definitions to ensure a common understanding of terms used in the proposed priorities. These proposed definitions are intended to replace the definitions in the 2010 Supplemental Priorities.

Authentic STEM experiences means laboratory, research-based, or experiential learning opportunities in a STEM (science, technology, engineering, and mathematics) subject in informal or formal settings.

Children with high needs means children from birth through kindergarten entry who are from low-income families or otherwise in need of special assistance and support, including children who have disabilities or developmental delays; who are English learners; who reside on "Indian lands" as that term is defined by section 8013(6) of the Elementary and Secondary Education Act of 1965, as amended (ESEA); who are migrant, homeless, or in foster care; and other children as identified by the State.

Community engagement means the systematic inclusion of community organizations as partners with State educational agencies, local educational agencies, or other educational institutions, or their school staff. These organizations may include faith- and community-based organizations, institutions of higher education (including minority-serving institutions authorized under Title III of the Higher Education Act and historically black colleges and universities), business and industry, labor, State and local government entities, or Federal entities other than the Department.

Digital credentials means evidence of a teacher's or student's mastery of specific competencies or performance-based abilities, provided in digital rather than physical medium (e.g., through digital badges). These digital credentials may then be used to supplement or satisfy continuing education or professional development requirements.

Employer engagement means the active involvement of employers, employer associations, and labor organizations in identifying skills and competencies, designing programs, offering real workplace problem sets, facilitating access to leading-edge equipment and facilities, providing "return to work"-type professional development opportunities for faculty, and providing work-based learning and mentoring opportunities for participants.

Essential domains of school readiness means the domains of language and literacy development, cognition and general knowledge (including early mathematics and early scientific development), approaches toward learning, physical well-being and motor development (including adaptive skills), and social and emotional development.

High-minority school means a school as that term is defined by a local educational agency (LEA), which must define the term in a manner consistent with its State's Teacher Equity Plan, as required by section 1111(b)(8)(C) of the Elementary and Secondary Education Act of 1965, as amended (ESEA). The applicant must provide the definition(s) of "high-minority school" used in its application.

High-need students means students at risk of educational failure or otherwise in need of special assistance and support, such as students who are living in poverty, who attend high-minority schools (as defined in this notice), who are far below grade level, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who have been incarcerated, who have disabilities, or who are English learners.

High-quality teacher evaluation and support system means a system that provides for continuous improvement of instruction; differentiates performance using at least three performance levels; uses multiple valid measures to determine performance levels, including data on student growth (as defined in this notice) as a significant factor and other measures of professional practice; evaluates teachers on a regular basis; provides clear and timely feedback that identifies needs and guides professional development; is developed with teacher and principal involvement; and is used to inform personnel decisions.

High-quality principal evaluation and support system means a system that provides for continuous improvement of instruction; differentiates performance using at least three performance levels; uses multiple valid measures to determine performance levels, including data on student growth (as defined in this notice) as a significant factor and other measures of professional practice; evaluates principals on a regular basis; provides clear and timely feedback that identifies needs and guides professional development; is developed with teacher and principal involvement; and is used to inform personnel decisions.

Low-skilled adult means an adult with low literacy and numeracy skills.

Lowest performing schools means—

For a State with an approved request for the Elementary and Secondary Education Act of 1965, as amended (ESEA) flexibility, priority schools (as defined in this notice) or Tier I and Tier II schools (as defined in this notice) identified under the School Improvement Grants program.

For any other State, Tier I and Tier II schools (as defined in this notice)

identified under the School Improvement Grants program.

Military- or veteran-connected student means—

(a) A child participating in an early learning and development program, a student enrolled in preschool through grade 12, or a student enrolled in postsecondary education or career and technical training who has a parent or guardian who is a member of the uniformed services (as defined by 37 U.S.C. 101, in the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, National Oceanic and Atmospheric Administration, or Public Health Service);

(b) A student who is a member of the uniformed services, a veteran of the uniformed services, or who is the spouse of a service member or veteran; or

(c) A child participating in an early learning and development program or a student enrolled in preschool through grade 12 who has a parent or guardian who is a veteran of the uniformed services (as defined by 37 U.S.C. 101).

Open educational resources (OER) means teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others.

Parent and family engagement means the systematic inclusion of parents and families, working in partnership with State educational agencies (SEAs), State lead agencies (under Part C of the Individuals with Disabilities Education Act (IDEA) or the State's Race to the Top-Early Learning Challenge grant), local educational agencies (LEAs), or other educational institutions, or their staff, in their child's education, which may include strengthening the ability of (a) parents and families to support their child's education and (b) school staff to work with parents and families.

Persistently-lowest achieving schools means, as determined by the State—

(a)(1) Any Title I school in improvement, corrective action, or restructuring that—

(i) Is among the lowest achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or

(ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and

(2) Any secondary school that is eligible for, but does not receive, Title I funds that—

(i) Is among the lowest achieving five percent of secondary schools or the lowest achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or

(ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

(b) To identify the lowest achieving schools, a State must take into account both—

(i) The academic achievement of the "all students" group in a school in terms of proficiency on the State's assessments under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965, as amended (ESEA), in reading/language arts and mathematics combined; and

(ii) The school's lack of progress on those assessments over a number of years in the "all students" group.

Personalized learning means instruction that is aligned to rigorous college- and career-ready standards where the pace of learning and the instructional approach are tailored to the needs of individual learners. Learning objectives and content, as well as the pace, may all vary depending on a learner's needs. In addition, learning activities are aligned to specific interests of each learner. Data from a variety of sources (including formative assessments, student feedback, and progress in digital learning activities), along with teacher recommendations, are often used to personalize learning.

Priority schools means schools that, based on the most recent data available, have been identified as among the lowest performing schools in the State. The total number of priority schools in a State must be at least five percent of the Title I schools in the State. A priority school is—

(a) A school among the lowest five percent of Title I schools in the State based on the achievement of the "all students" group in terms of proficiency on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, and has demonstrated a lack of progress on those assessments over a number of years in the "all students" group;

(b) A Title I-participating or Title I-eligible high school with a graduation rate less than 60 percent over a number of years; or

(c) A Tier I or Tier II school under the SIG program that is using SIG funds to implement a school intervention model.

Rural local educational agency means a local educational agency (LEA) that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title VI, Part B of the Elementary and Secondary Education Act of 1965, as amended (ESEA). Eligible applicants may determine whether a particular LEA is eligible for these programs by referring to information on the Department's Web site at *www2.ed.gov/nclb/freedom/local/reap.html.*

Student achievement means—

For grades and subjects in which assessments are required under section 1111(b)(3) of the Elementary and Secondary Act of 1965, as amended (ESEA): (1) A student's score on such assessments; and (2) other measures of student learning, such as those described in the subsequent paragraph, provided they are rigorous and comparable across schools within a local educational agency (LEA).

For grades and subjects in which assessments are not required under section 1111(b)(3) of the ESEA: (1) Alternative measures of student learning and performance, such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; (2) student learning objectives; (3) student performance on English language proficiency assessments; and (4) other measures of student achievement that are rigorous and comparable across schools within an LEA.

Student growth means the change in student achievement (as defined in this notice) for an individual student between two or more points in time.

Sustained partnerships means relationships that have demonstrably adequate resources and other support to continue beyond the funding period and that consist of a local educational agency, one or more of its schools, and one or more of the following:

(1) Faith- or community-based organizations.

(2) Institutions of higher education, including community colleges, technical colleges, or technical institutions.

(3) Minority-serving institutions authorized under Title III of the Higher Education Act or historically black colleges or universities.

(4) Business, industry, or labor.

(5) Other Federal, State, or local government entities.

Systemic initiatives means policies, programs, or activities that include parent and family engagement as a core component and are designed to meet critical educational goals, such as

school readiness, student achievement (as defined in this notice), and school turnaround.

Tier I schools means—

(a) A Tier I school is a Title I school in improvement, corrective action, or restructuring that is identified by the State educational agency (SEA) under paragraph (a)(1) of the definition of "persistently lowest-achieving schools."

(b) At its option, an SEA may also identify as a Tier I school an elementary school that is eligible for Title I, Part A funds that—

(1)(i) Has not made adequate yearly progress for at least two consecutive years; or

(ii) Is in the State's lowest quintile of performance based on proficiency rates on the State's assessments under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) in reading/language arts and mathematics combined; and

(2) Is no higher achieving than the highest-achieving school identified by the SEA under paragraph (a)(1)(i) of the definition of "persistently lowest-achieving schools."

Tier II schools means—

(a) A Tier II school is a secondary school that is eligible for, but does not receive, Title I, Part A funds and is identified by the State educational agency (SEA) under paragraph (a)(2) of the definition of "persistently lowest-achieving schools."

(b) At its option, an SEA may also identify as a Tier II school a secondary school that is eligible for Title I, Part A funds that—

(1)(i) Has not made adequate yearly progress for at least two consecutive years; or

(ii) Is in the State's lowest quintile of performance based on proficiency rates on the State's assessments under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965, as amended (ESEA), in reading/language arts and mathematics combined; and

(2)(i) Is no higher achieving than the highest-achieving school identified by the SEA under paragraph (a)(2)(i) of the definition of "persistently lowest-achieving schools"; or

(ii) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

Tiered behavioral supports means a continuum of increasingly intensive and evidence-based social, emotional, and behavioral supports, including a framework of universal strategies for students and school staff to promote positive behavior and data-based strategies for matching more intensive supports to individual student needs.

Final Priorities and Definitions:

We will announce the final priorities and definitions in a notice in the **Federal Register**. We will determine the final priorities and definitions after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities or definitions, subject to meeting applicable rulemaking requirements.

Note: This notice does *not* solicit applications. In any year in which we choose to use one or more of these priorities and definitions, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Secretary must determine whether this regulatory action is "significant" and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an "economically significant" rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive Order.

This proposed regulatory action is a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this proposed regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency "to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible." The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include "identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes."

We are issuing these proposed priorities and definitions only on a reasoned determination that their benefits would justify their costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs associated with this regulatory action are those resulting from regulatory requirements and those we have determined as necessary for administering the Department's programs and activities.

Discussion of Costs and Benefits:

The proposed priorities and definitions would not impose significant costs on entities that would receive assistance through the Department's discretionary grant

programs. Additionally, the benefits of implementing the proposals contained in this notice outweigh any associated costs because they would result in the Department's discretionary grant programs selecting high-quality applications to implement activities that are most likely to have a significant national effect on educational reform and improvement.

Application submission and participation in a discretionary grant program are voluntary. The Secretary believes that the costs imposed on applicants by the proposed priorities and definitions would be limited to paperwork burden related to preparing an application for a discretionary grant program that is using one or more of the proposed priorities and definitions in its competition. Because the costs of carrying out activities would be paid for with program funds, the costs of implementation would not be a burden for any eligible applicants, including small entities.

Regulatory Flexibility Act Certification:

For these reasons as well, the Secretary certifies that these proposed regulations would not have a significant economic impact on a substantial number of small entities.

Intergovernmental Review: Some of the programs affected by these proposed priorities and definitions are subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for these programs.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT.**

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: June 19, 2014.

Arne Duncan,

Secretary of Education.

[FR Doc. 2014–14671 Filed 6–23–14; 8:45 am]

BILLING CODE 4000–01–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 in Existing Proceedings

Docket Numbers: RP14–964–001.

Applicants: Gulf Shore Energy Partners, LP.

Description: Gulf Shore Energy Show Cause Compliance filing.

Filed Date: 6/10/14.

Accession Number: 20140610–5175.

Comments Due: 5 p.m. ET 6/23/14.

Docket Numbers: RP14–964–002.

Applicants: Gulf Shore Energy Partners, LP.

Description: Gulf Shore Energy Show Cause Compliance filing-Refile.

Filed Date: 6/10/14.

Accession Number: 20140610–5231.

Comments Due: 5 p.m. ET 6/23/14.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: June 11, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–14697 Filed 6–23–14; 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: EC14–103–000.

Applicants: Duke Energy Kentucky, Inc.

Description: Application for Authorization to Transfer Jurisdictional Assets under Section 203 of the Federal Power Act of Duke Energy Kentucky, Inc.

Filed Date: 6/16/14.

Accession Number: 20140616–5279.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: EC14–104–000.

Applicants: KEF Equity Investment Corp.

Description: Application for Authorization for Disposition of Jurisdictional Facilities, Request for Expedited Consideration, Waivers and Confidential Treatment of KEP Equity Investment Corp.

Filed Date: 6/16/14.

Accession Number: 20140616–5281.

Comments Due: 5 p.m. ET 7/7/14.

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

Docket Numbers: ER10–2179–022; ER10–2181–022; ER10–2182–022.

Applicants: R.E. Ginna Nuclear Power Plant, LLC, Calvert Cliffs Nuclear Power Plant, LLC, Nine Mile Point Nuclear Station, LLC.

Description: Amendment to December 30, 2013 Updated Market Power Analysis for the Northeast Region of the Constellation Energy Nuclear Group entities.

Filed Date: 5/16/14.

Accession Number: 20140516–5230.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER11–2790–006.

Applicants: Midcontinent Independent System Operator, Ameren Illinois Company.

Description: 2014–06–17_SA 2005 Ameren-Hoosier WDS Agreement Amended Compliance to be effective 3/30/2011.

Filed Date: 6/17/14.

Accession Number: 20140617–5083.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER12–21–008; ER13–520–001; ER13–521–001; ER13–1441–001; ER13–1442–001; ER12–1626–002; ER13–1266–001; ER13–1267–001; ER13–1268–001; ER13–1269–001; ER13–1270–001; ER13–1271–001; ER13–1272–001; ER13–1273–001; ER10–2605–005.

Applicants: Agua Caliente Solar, LLC, Pinyon Pines Wind I, LLC, Pinyon Pines Wind II, LLC, Solar Star California XIX, LLC, Solar Star California XX, LLC, Topaz Solar Farms LLC, CalEnergy, LLC,CE Leathers Company, Del Ranch Company, Elmore Company, Fish Lake Power LLC, Salton Sea Power Generation Company, Salton Sea Power L.L.C., Vulcan/BN Geothermal Power Company, Yuma Cogeneration Associates.

Description: Second Supplement to June 26, 2013 Updated Market Power Analysis of the Berkshire Hathaway Energy Company MBR Sellers.

Filed Date: 6/12/14.

Accession Number: 20140612–5203.

Comments Due: 5 p.m. ET 7/3/14.

Docket Numbers: ER13–64–002.

Applicants: PacifiCorp.

Description: OATT Order 1000 Third Regional Compliance Filing to be effective 6/13/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5084.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER14–1775–001.

Applicants: SEP II, LLC.

Description: SEP II, LLC Market Based Rate Tariff Supplement to be effective 5/15/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5069.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER14–1997–001.

Applicants: PJM Interconnection, L.L.C.

Description: Errata to Notice of Cancellation of Original SA No. 2857; Queue W1–120 to be effective 2/14/2012.

Filed Date: 6/16/14.

Accession Number: 20140616–5254.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER14–2003–000.

Applicants: PJM Interconnection, L.L.C.

Description: Supplemental Filing to Ministerial Clean-up in ER14–2003–000 to be effective N/A.

Filed Date: 6/16/14.

Accession Number: 20140616–5255.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER14–2187–001.

Applicants: Grand Ridge Energy Storage LLC.

Description: Supplement to Market-Based Rate Application to be effective 8/16/2014.

Filed Date: 6/16/14.

Accession Number: 20140616–5181.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER14–2195–000.

Applicants: Duke Energy Progress, Inc.

Description: Cancellation of Rate Schedule No. 192 to be effective 6/13/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5060.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER14–2196–000.

Applicants: Public Service Company of New Mexico.

Description: Gallup Electric Service Agreement Cancellation to be effective 6/29/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5078.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER14–2197–000.

Applicants: Public Service Company of New Mexico.

Description: Notice of Cancellation of NITSA and NOA between PNM Merchant & PNM Transmission to be effective 6/29/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5079.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER14–2198–000.

Applicants: Public Service Company of New Mexico.

Description: NITSA and NOA between PNM and City of Gallup to be effective 6/30/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5080.

Comments Due: 5 p.m. ET 7/8/14.

Docket Numbers: ER14–2199–000.

Applicants: Alabama Power Company.

Description: SWE (SMEPA) NITSA Rollover Filing to be effective 6/1/2014.

Filed Date: 6/17/14.

Accession Number: 20140617–5114.

Comments Due: 5 p.m. ET 7/8/14.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: June 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–14696 Filed 6–23–14; 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 exempt wholesale generator filings:

Docket Numbers: EG14–64–000.

Applicants: Grand Ridge Energy Storage LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Grand Ridge Energy Storage LLC.

Filed Date: 6/16/14.

Accession Number: 20140616–5173.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: EG14–65–000.

Applicants: CED White River Solar 2, L.L.C.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of CED White River Solar 2, L.L.C.

Filed Date: 6/16/14.

Accession Number: 20140616–5206.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: EG14–66–000.

Applicants: CED White River Solar, L.L.C.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of CED White River Solar, L.L.C.

Filed Date: 6/16/14.

Accession Number: 20140616–5207.

Comments Due: 5 p.m. ET 7/7/14.

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

Docket Numbers: ER13–65–002.

Applicants: Deseret Generation & Transmission Co-operative, Inc.

Description: OATT Order No. 1000 Third Regional Compliance Filing to be effective 6/13/2014.

Filed Date: 6/13/14.

Accession Number: 20140613–5089.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER13–67–002.

Applicants: NorthWestern Corporation.

Description: Order No. 1000 Third Regional Compliance Filing—Montana OATT to be effective 6/13/2014.

Filed Date: 6/13/14.

Accession Number: 20140613–5090.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER13–68–002.

Applicants: Portland General Electric Company.

Description: Att K Regional Comp Filing 2 to be effective 6/13/2014.

Filed Date: 6/13/14.

Accession Number: 20140613–5143.

Comments Due: 5 p.m. ET 7/7/14.

Docket Numbers: ER14–2009–001.
Applicants: Southwest Power Pool, Inc.
Description: 2562 S–R1 Kansas Municipal Energy Agency NITSA and NOA to be effective 5/1/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5074.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2102–000.
Applicants: Danskammer Energy, LLC.
Description: Supplement to June 2, 2014 Danskammer Energy, LLC tariff filing.
Filed Date: 6/13/14.
Accession Number: 20140613–5218.
Comments Due: 5 p.m. ET 6/23/14.
Docket Numbers: ER14–2177–000.
Applicants: Southwest Power Pool, Inc.
Description: 2824R2 KMEA & Sunflower Meter Agent Agreement to be effective 6/1/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5064.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2178–000.
Applicants: Idaho Power Company.
Description: OATT Order No. 1000 Third Regional Compliance Filing to be effective 6/13/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5065.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2179–000.
Applicants: PJM Interconnection, L.L.C.
Description: Queue No. W4–015; First Revised Service Agreement No. 2962 to be effective 5/14/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5077.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2180–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–06–13_Schedule 43 Escanaba Renewal to be effective 6/15/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5079.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2181–000.
Applicants: PJM Interconnection, L.L.C.
Description: Ministerial Clean Up re OA Schedule 12 and RAA Schedule 17 Membership Lists to be effective 4/24/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5111.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2182–000.
Applicants: PacifiCorp.
Description: OATT Order No. 1000 Third Regional Compliance Filing to be effective 6/13/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5118.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2183–000.
Applicants: Portland General Electric Company.
Description: NTTG Funding Agreement to be effective 6/13/2014.
Filed Date: 6/13/14.
Accession Number: 20140613–5141.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2184–000.
Applicants: Southwest Power Pool, Inc.
Description: Notice of Cancellation of KPP/Westar Ancillary Services Agreement SA 1136R3 of Southwest Power Pool, Inc.
Filed Date: 6/13/14.
Accession Number: 20140613–5209.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2185–000.
Applicants: EFS Parlin Holdings, LLC.
Description: Revision of market-based rate tariff to be effective 6/17/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5070.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2186–000.
Applicants: PJM Interconnection, L.L.C.
Description: Revisions to the PJM OATT & OA re Tier 2 Sync Reserve Aggregation of Penalties to be effective 8/15/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5085.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2187–000.
Applicants: Grand Ridge Energy Storage LLC.
Description: Application for Market-Based Rate Authorization to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5141.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2188–000.
Applicants: The Dayton Power and Light Company.
Description: FERC Rate Schedule No. 41, City of Piqua to be effective 6/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5147.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2189–000.
Applicants: Grand Ridge Energy LLC.
Description: Filing of Amended Assignment, Co-Tenancy, and Shared Facilities Agreement to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5154.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2190–000.
Applicants: Grand Ridge Energy II LLC.
Description: Filing of Amended Assignment, Co-Tenancy, and Shared Facilities Agreement to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5156.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2191–000.
Applicants: Grand Ridge Energy III LLC.
Description: Filing of Amended Assignment, Co-Tenancy, and Shared Facilities Agreement to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5158.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2192–000.
Applicants: Grand Ridge Energy IV LLC.
Description: Filing of Amended Assignment, Co-Tenancy, and Shared Facilities Agreement to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5159.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2193–000.
Applicants: Grand Ridge Energy V LLC.
Description: Filing of Amended Assignment, Co-Tenancy, and Shared Facilities Agreement to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5160.
Comments Due: 5 p.m. ET 7/7/14.
Docket Numbers: ER14–2194–000.
Applicants: Grand Ridge Energy Storage LLC.
Description: of Amended Assignment, Co-Tenancy, and Shared Facilities Agreement to be effective 8/16/2014.
Filed Date: 6/16/14.
Accession Number: 20140616–5161.
Comments Due: 5 p.m. ET 7/7/14.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: June 16, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–14640 Filed 6–23–14; 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: RP14–1044–000.

Applicants: Chief Oil & Gas LLC, Tug Hill Marcellus, LLC, Enerplus Resources (USA) Corporation, Chesapeake Energy Marketing Inc.

Description: Joint Petition for Limited Waiver and Request for Expedited Action of Chesapeake Energy Marketing, Inc. et al.

Filed Date: 6/11/14.

Accession Number: 20140611–5065.

Comments Due: 5 p.m. ET 6/20/14.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated June 12, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–14698 Filed 6–23–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TS14–4–000]

Wisconsin Public Service Corporation Upper Peninsula Power Company; Notice of Filing

Take notice that on June 17, 2014, pursuant to Rule 204 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.204, Wisconsin Public Service Corporation and Upper Peninsula Power Company (collectively, WPS), filed a request for limited waiver of the Commission's Standards of Conduct Regulations, WPS's Standard of Conduct Procedures, and to the extent necessary, American Transmission Company, LLC's Standards of Conduct, so that certain Generating Operation personnel, classified by WPS as Marketing Function Employees can participate in the annual PSR Drill in October 2014 and subsequent years where simulations may contain non-pubic transmission system information that would otherwise be unavailable to such personnel.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern Time on July 17, 2014.

Dated: June 18, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–14699 Filed 6–23–14; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2010–0757; FRL–9912–74–OARM]

Proposed Information Collection Request; Comment Request; Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency (Renewal); EPA ICR No. 2260.04, OMB Control No. 2090–0029

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency is planning to submit an information collection request (ICR), "Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency (Renewal)" (EPA ICR No. 2260.05, OMB Control No. 2090–0029) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through August 31, 2014. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before August 25, 2014.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OA–2010–0757, online using *www.regulations.gov* (our preferred method), by email to *oei.docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T,

1200 Pennsylvania Ave. NW., Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Megan Moreau, Office of Diversity, Advisory Committee Management and Outreach, Office of Administration and Resources Management, Mail Code 1601M, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–564–5320; fax number: 202–564–8129; email address: *moreau.megan@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: The purpose of this information collection request is to assist EPA in selecting federal advisory committee members who will be appointed as Special Government Employees (SGEs), mostly to EPA's scientific and technical committees. To select SGE members as efficiently and cost effectively as possible, the Agency needs to evaluate potential conflicts of interest before a candidate is hired as an SGE and appointed as a member to a committee by EPA's Administrator or Deputy Administrator.

Agency officials developed the "Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency," also referred to as Form 3110–48, for greater inclusion of information to discover any potential conflicts of interest as recommended by the Government Accountability Office.

Form Numbers: EPA Form 3110–48.

Respondents/affected entities: Entities potentially affected by this action are approximately 250 candidates for membership as SGEs on EPA federal advisory committees. SGEs are required to file a confidential financial disclosure report (Form 3110–48) when first appointed to serve on EPA advisory committees, and then annually thereafter. Committee members may also be required to update the confidential form before each meeting while they serve as SGEs.

Respondent's obligation to respond: Required in order to serve as a SGE on an EPA federal advisory committee (5 CFR 2634.903).

Estimated number of respondents: 250 (total).

Frequency of response: Annual.

Total estimated burden: 250 hours per year (1 hour per respondent). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $22,000 (per year). There are no capital investment or maintenance and operational costs.

Changes in Estimates: The estimated number of respondents and hourly labor costs have been reduced resulting in a lower total estimated respondent burden compared with the ICR currently approved by OMB.

Dated: June 9, 2014.

Craig E. Hooks,

Assistant Administrator, Office of Administration and Resources Management.

[FR Doc. 2014–14680 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9912–77–OA]

Notification of a Public Teleconference of the Science Advisory Board Environmental Justice Technical Guidance Review Panel

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a teleconference of the Environmental Justice Technical Guidance (EJTG) Review Panel. A public teleconference will be held to discuss the draft report of the panel.

DATES: A public teleconference to discuss the draft report of the EJTG review panel will be held on July 22, 2014 from 1:00 p.m. to 5:00 p.m. (Eastern Time).

ADDRESSES: The public teleconference will be conducted by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wants further information concerning this public meeting may contact Dr. Sue Shallal, Designated Federal Officer (DFO), via telephone at (202) 564–2057 or email at *shallal.suhair@epa.gov.* General information concerning the SAB can be found on the EPA Web site at *http://www.epa.gov/sab.*

SUPPLEMENTARY INFORMATION: The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDDAA), codified at 42 U.S.C. 4365, to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to FACA and EPA policy, notice is hereby given that the SAB EJTG Review Panel will hold a public teleconference. The purpose of the teleconference is to discuss the panel's draft report. This SAB panel will provide advice to the Administrator through the chartered SAB.

Background: The EPA's National Center for Environmental Economics along with the Office of Environmental Justice has requested that the SAB peer review their *Draft Technical Guidance for Assessing Environmental Justice in Regulatory Analysis (May 1, 2013).* The

SAB EJTG Review Panel met on January 30–31, 2014 to conduct a peer review of the draft technical guidance (78 FR 77673–77674). Additional information about this advisory activity, including the formation of the SAB EJTG Review Panel, can be found at the following URL: *http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/EJ%20Technical%20Guidance?Open Document*. The July 22, 2014 teleconference is being held for the EJTG Review Panel to discuss its draft peer review report.

Technical Contacts: Any technical questions concerning EPA's draft technical document should be directed to Dr. Kelly Maguire at (202) 566–2273 or by email at *maguire.kelly@epa.gov*.

Availability of Meeting Materials: Prior to the meeting, the review documents, agenda and other materials will be accessible through the calendar link on the blue navigation bar at *http://www.epa.gov/sab/*. Materials may also be accessed at the following SAB Web page *http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/EJ%20Technical%20Guidance?OpenDocument*.

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to the EPA. Interested members of the public may submit relevant information on the topic of this advisory activity, and/or the group conducting the activity, for the SAB to consider during the advisory process. Input from the public to the SAB will have the most impact if it provides specific scientific or technical information or analysis for SAB committees and panels to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should contact the DFO directly. *Oral Statements:* In general, individuals or groups requesting an oral presentation on a teleconference will be limited to 3 minutes and oral presentation at a face-to-face meeting will be limited to five minutes. Interested parties should contact Dr. Sue Shallal, DFO, in writing (preferably via email) at the contact information noted above by July 11, 2014 to be placed on the list of public speakers for the teleconference. *Written Statements:* Written statements will be accepted throughout the advisory process; however, for timely consideration by Committee/Panel members, statements should be supplied to the DFO via email at the contact information noted above at least one week prior to a public meeting. Written statements should be supplied in one of the following electronic formats: Adobe Acrobat PDF, MS Word, MS PowerPoint, or Rich Text files in IBM–PC/Windows 98/2000/XP format. It is the SAB Staff Office general policy to post written comments on the Web page for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its Web sites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the SAB Web site. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Dr. Sue Shallal at (202) 564–2057 or *shallal.suhair@epa.gov*. To request accommodation of a disability, please contact Dr. Shallal preferably at least ten days prior to the meeting to give EPA as much time as possible to process your request.

Dated: June 13, 2014.

Thomas H. Brennan,

Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. 2014–14677 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9912–62–Region 5]

Notice of Issuance of Minor New Source Review Construction Permit to Shooting Star Casino and Event Center

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces that, on April 15, 2014, pursuant to the Federal Minor New Source Review (NSR) Program in Indian Country, the Environmental Protection Agency (EPA) issued a minor new source review construction permit to the White Earth Nation of the Minnesota Chippewa Tribe for the Shooting Star Casino and Event Center in Mahnomen, Minnesota. The casino is located on the White Earth Nation's reservation. White Earth Nation owns and operates the Shooting Star Casino and Event Center, including two fuel oil-fired boilers and two propane-fired boilers used for space heating. The final minor NSR construction permit authorizes the construction of a new biomass-fired boiler and establishes annual operating hour limitations on the new and existing boilers at the casino.

DATES: The final minor NSR permit was issued on April 15, 2014. The final permit becomes effective on May 15, 2014.

ADDRESSES: The final signed permit is available for public inspection online at *http://yosemite.epa.gov/r5/r5ard.nsf/Tribal+Permits!OpenView*, or during normal business hours at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois, 60604. We recommend that you call Michael Langman, Environmental Scientist, at (312) 886–6867 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Michael Langman, Environmental Scientist, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6867, *langman.michael@epa.gov*.

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

A. What is the background information?

The White Earth Nation of the Minnesota Chippewa Tribe owns and operates two fuel oil-fired and two propane-fired boilers at its Shooting Star Casino and Event Center in Mahnomen, Minnesota. The casino and the four boilers are located on the White Earth Nation of the Minnesota Chippewa Tribe's reservation. The boilers are used for space heating at the casino.

On September 10, 2013, EPA received a permit application from TSS Consultants on behalf of the White Earth Nation of the Minnesota Chippewa Tribe requesting a minor NSR construction to be permit issued pursuant to the requirements of the Federal Minor New Source Review Program in Indian Country, codified at 40 CFR 49.151–49.161. In its application, the White Earth Nation of the Minnesota Chippewa Tribe specifically requested the construction of a new 5 MMBTU/hr biomass-fired boiler and annual operating hour limitations on the existing propane- and fuel oil-fired boilers at the facility. The

new biomass-fired boiler will provide space heating to the facility alongside the existing boilers.

On October 24, 2013, EPA determined that the permit application was administratively complete pursuant to the permit application requirements of 40 CFR 49.154. Based on the information in the application, EPA prepared a draft permit for public review according to the permit content requirements at 40 CFR 49.155 in which EPA proposed to authorize the construction of the new biomass-fired boiler and to establish annual operating hour limitations for all new and existing boilers at the casino as requested in the permit application.

In accordance with the public participation requirements of 40 CFR 49.157, EPA mailed the public notice and the draft permit documents to all required parties. EPA also mailed the public notice, the draft permit documents, and a copy of the application to the Mahnomen Public Library to facilitate review for interested members of the public in the area. EPA published the public notice in the Mahnomen Pioneer, a newspaper with local circulation in the affected area, on February 20, 2014. The public comment period ended on March 24, 2014, 30 days after publication in the Mahnomen Pioneer.

During the public comment period, EPA received one comment letter from the Minnesota Historical Society. The Minnesota Historical Society concurred with EPA's National Historic Preservation Act conclusion and also reminded EPA that the White Earth Nation's Tribal Historic Preservation Officer shares review responsibility with the Minnesota Historical Society. The comment letter did not specifically request any permit changes or object to any permit conditions.

EPA issued a final minor NSR construction permit, permit number MIN–WE–27087R0001–2013–01, on April 15, 2014, in accordance with the final permit issuance requirements of 40 CFR 49.159. The final permit became effective on May 15, 2014. EPA sent the final permit decision and a copy of the final permit documents to the Shooting Star Casino and Event Center on April 17, 2014. EPA posted the final permit decision and final permit documents on its Web site at *http://yosemite.epa.gov/r5/r5ard.nsf/Tribal+Permits!OpenView.*

B. What is the purpose of this notice?

EPA is notifying the public of the issuance of a minor NSR construction permit, number MIN–WE–27087R0001–2013–01, issued to the White Earth Nation of the Minnesota Chippewa Tribe, on April 15, 2014. The permit became effective on May 15, 2014.

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

Dated: June 10, 2014.

Susan Hedman,

Regional Administrator, Region 5.

[FR Doc. 2014–14673 Filed 6–23–14; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

Notice of Issuance of Exposure Draft on Deferral of the Transition of Long-Term Projections to Basic Information

AGENCY: Federal Accounting Standards Advisory Board.

ACTION: Notice.

Board Action: Pursuant to 31 U.S.C. 3511(d), the Federal Advisory Committee Act (Pub. L. 92–463), as amended, and the FASAB Rules of Procedure, as amended in October, 2010, notice is hereby given that the Federal Accounting Standards Advisory Board has released an Exposure Draft entitled *Deferral of the Transition of Long-Term Projections to Basic Information.*

The Exposure Draft is available on the FASAB Web site: *http://www.fasab.gov/board-activities/documents-for-comment/exposure-drafts-and-documents-for-comment/.*

Copies can be obtained by contacting FASAB at (202) 512–7350.

Respondents are encouraged to comment on any part of the exposure draft. Written comments are requested by June 26, 2014, and should be sent to:

Wendy M. Payne, Executive Director, Federal Accounting Standards Advisory Board, 441 G Street NW., Suite 6814, Mail Stop 6H19, Washington, DC 20548.

FOR FURTHER INFORMATION CONTACT: Wendy Payne, Executive Director, at (202) 512–7350.

Authority: Federal Advisory Committee Act, Public Law 92–463.

Dated: June 20, 2014.

Charles Jackson,

Federal Register Liaison Officer.

[FR Doc. 2014–14853 Filed 6–23–14; 8:45 am]

BILLING CODE 1610–02–P

FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

Notice of Meeting Schedule for 2014

AGENCY: Federal Accounting Standards Advisory Board.

ACTION: Notice.

Notice of less than 15 days is being provided for the June 25–26, 2014 meeting because of an exceptional administrative oversight. Advance notice of the meeting was provided via other means including listserv and Web site postings.

Board Action: Pursuant to 31 U.S.C. 3511(d), the Federal Advisory Committee Act (Pub. L. 92–463), as amended, and the FASAB Rules of Procedure, as amended in October, 2010, notice is hereby given that the Federal Accounting Standards Advisory Board (FASAB) will meet on the following dates in room 7C13 of the U.S. Government Accountability Office (GAO) Building (441 G St. NW.,) unless otherwise noted:

—Wednesday and Thursday, June 25 and 26, 2014

—Wednesday and Thursday, August 27 and 28, 2014

—Wednesday and Thursday, October 22 and 23, 2014

—Wednesday and Thursday, December 17 and 18, 2014

The purpose of the meetings is to discuss issues related to:

—Leases

—Public-Private Partnerships

—Reporting Entity

—Reporting Model

—Risk Assumed, and

—Any other topics as needed.

Any interested person may attend the meetings as an observer. Board discussion and reviews are open to the public. GAO Building security requires advance notice of your attendance. Please notify FASAB of your planned attendance by calling 202–512–7350 at least one day prior to the respective meeting.

FOR FURTHER INFORMATION CONTACT: Wendy Payne, Executive Director, at (202) 512–7350.

Authority: Federal Advisory Committee Act, Public Law 92–463.

Dated: June 20, 2014.

Charles Jackson,

Federal Register Liaison Officer.

[FR Doc. 2014–14852 Filed 6–23–14; 8:45 am]

BILLING CODE 1610–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notification of Charter Renewal: National Preparedness and Response Science Board (Previously Known as the National Biodefense Science Board)

AGENCY: Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Secretary of the Department of Health and Human Services has renewed the charter of the National Preparedness and Response Science Board (NPRSB), previously known as the National Biodefense Science Board, for an additional two-year period through July 3, 2016.

FOR FURTHER INFORMATION CONTACT: Please submit any inquiries to CAPT Charlotte Spires, DVM, MPH, DACVPM, Executive Director and Designated Federal Official, National Preparedness and Response Science Board, Office of the Assistant Secretary for Preparedness and Response, U.S. Department of Health and Human Services, Thomas P. O'Neill Federal Building, Room number 14F18, 200 C St. SW., Washington, DC 20024; Office: 202–260–0627, Email address: *charlotte.spires@hhs.gov*.

SUPPLEMENTARY INFORMATION: As stipulated by the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2 Section 9(c), the U.S. Department of Health and Human Services is hereby giving notice of the renewal of the NPRSB charter for an additional two-year period. The Board shall provide expert advice and guidance to the Secretary on scientific, technical, and other matters of special interest to the Department of Health and Human Services regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate. The Board may also provide advice and guidance to the Secretary on other matters related to public health emergency preparedness and response.

Dated: June 13, 2014.

Nicole Lurie,

Assistant Secretary for Preparedness and Response.

[FR Doc. 2014–14628 Filed 6–23–14; 8:45 am]

BILLING CODE 4150–37–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences (NCATS): Cooperative Research and Development Agreement (CRADA) and Licensing Opportunity for Small Molecule Inhibitors of the Human USP1/UAF1 Complex(1) for the Treatment of Cancer

SUMMARY: The National Center for Advancing Translational Sciences (NCATS) and its collaborator, the University of Delaware, are seeking Cooperative Research and Development Agreement (CRADA) partners to collaborate in the final stages of lead optimization, evaluation and preclinical development of a novel series of selective and potent small-molecule inhibitors of the human USP1/UAF1 complex(*1*) for the treatment of cancer. Interested potential CRADA partners will receive detailed information about the project after signing a confidential disclosure agreement (CDA) with NCATS and University of Delaware.

DATES: Interested candidate partners must submit a statement of interest and capability to the NCATS point of contact before July 24, 2014 for consideration. Guidelines for the preparation of a full CRADA proposal will be communicated shortly thereafter to all respondents with whom initial confidential discussions will have established sufficient mutual interest. CRADA applications submitted after the due date may be considered if a suitable CRADA collaborator has not been identified by NIH and its collaborator, the University of Delaware, among the initial pool of respondents. Licensing of background technology related to this CRADA opportunity is also available to potential collaborators.

ADDRESSES: Questions about licensing opportunities of related background technology should be addressed to Jenny Wong, M.S., Senior Licensing and Patenting Manager, Office of Technology Transfer, NIH, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804, Telephone: (301) 435–4633; Email: *wongje@mail.nih.gov*. Respondents interested in licensing will be required to submit an "Application for License to Public Health Service Inventions." An executed CDA will be required to receive copies of the patent applications.

FOR FURTHER INFORMATION CONTACT: Further details of this CRADA opportunity and statement of interest please contact Lili Portilla, M.P.A., Director of Strategic Alliances, National Center for Advancing Translational Sciences, NIH, 9800 Medical Center Drive, Room 311, Rockville, MD 20850; Telephone (301) 217–2589; Email: *Lilip@nih.gov* or Dr. Krishna Balakrishnan, Senior Technology Transfer Manager, NCATS, Telephone: (301) 217–2336; Email: *balakrik@mail.nih.gov*.

SUPPLEMENTARY INFORMATION: Ubiquitin-specific proteases (USPs) have in recent years emerged as a promising therapeutic target class in the ubiquitin-proteasome system (UPS). Velcade® (bortezomib), a small molecule proteasome inhibitor, has established the ubiquitin-proteasome system as a valid target for anticancer treatment. However, proteasome inhibitors in general suffer from a narrow therapeutic index and acquired resistance. A promising alternative to proteasome inhibition has been to target the enzymes upstream of proteasome-mediated protein degradation, i.e. the ubiquitin ligases and deubiquitinating enzymes (DUBs), to generate more specific, less toxic therapeutic agents.

The advantage of inhibiting DUB lies in the specificity of therapeutic intervention that can lead to better efficacy and reduced side effects. It has become clear that the DUB activities are indispensable for the normal cellular functions. Abnormal cellular expression of DUBs or the loss of function due to mutation in certain DUB genes have been linked to various human diseases(*2, 3*). Among the five DUB subfamilies, ubiquitin-specific protease (USP) is emerging as promising targets for pharmacological intervention because of their connection to many human diseases, including prostate, colon and breast cancer, pediatric acute lymphoblastic leukemia, and familial cylindromatosis(*2, 4*). From the past successes in targeting proteases with small molecule antagonists, it is expected that efforts of targeting human USPs will lead to potent and specific therapeutic agents.

The human ubiquitin-specific protease 1 (or USP1) occupies a special position because it has been implicated in DNA damage response in higher vertebrates and humans. Previous studies showed that disruption of USP1 in chicken DT40 cells resulted in increased sensitivity to DNA crosslinkers(*5*) and knockout of the murine USP1 gene in a mouse model resulted in hypersensitivity to mitomycin C(*6*). Previously we have demonstrated that inhibiting the cellular activity of human USP1 by

pharmacologically active small molecules sensitized cisplatin-resistant non-small cell lung cancer (NSCLC) cells to DNA crosslinking agent(*77*). Thus, USP1 inhibitors hold promise in combination therapy with the existing anti-cancer drugs to improve the efficacy and lower the toxic effect of the existing drugs.

More recently we have developed small molecules that target the USP1/UAF1 DUB complex(*1*). These compounds were identified via a high-throughput screen and subjected to medicinal chemistry optimization, leading to one of the most potent and selective DUB inhibitors reported to date. Moreover, the inhibitors act synergistically with cisplatin, a DNA damaging anti-cancer drug, to overcome chemoresistance and enhance cytotoxicity. These results suggest the inhibitors may also improve the efficacy and potency of other commonly prescribed chemotherapeutic agents that are known to induce DNA damage. Furthermore the USP1/UAF1 small molecule inhibitors also hold promise in the single-agent therapy.

Under the CRADA, the chemical series will be further characterized and optimized to address specific aspects of this target product profile. The CRADA scope will also include studies beyond candidate selection including all aspects of preclinical studies such as toxicity studies, xenograft studies and chemistry GMP scale up of selected compounds and manufacture of control leading to a successful investigational new drug (IND) application. Collaborators should have experience in pre-clinical development of small molecules with a focus on cancer and a track record of successful submission of IND applications to the FDA.

The full CRADA proposal should include a capability statement with a detailed description of (1) collaborator's expertise in the areas of modulation of small molecule physicochemical and pharmacokinetic properties; (2) expertise in formulation of small molecules and ability to manufacture sufficient quantities of chemical compounds according to FDA guidelines and under Good Manufacturing Practice (GMP); (3) expertise with oncology and/or other diseases which may benefit from USP1/UAF1 inhibition; (4) expertise in regulatory affairs, particularly at the IND filing and early clinical trial stages; (5) collaborator's ability to support, directly or through contract mechanisms, and ability, upon the successful completion of relevant milestones, to support the ongoing pharmacokinetics and biological studies, long term toxicity studies, process chemistry and other pre-clinical development studies needed to obtain regulatory approval of a given molecule so as to ensure a high probability of eventual successful commercialization; (6) collaborator's ability to provide adequate funding to support some of the project's pre-clinical studies.

Publications

1. Liang, Q., Dexheimer, T. S., Zhang, P., Rosenthal, A. S., Villamil, M. A., You, C., Zhang, Q., Chen, J., Ott, C. A., Sun, H., Luci, D. K., Yuan, B., Simeonov, A., Jadhav, A., Xiao, H., Wang, Y., Maloney, D. J., and Zhuang, Z. (2014) A selective USP1–UAF1 inhibitor links deubiquitination to DNA damage responses, *Nature chemical biology 10,* 298–304.
2. Singhal, S., Taylor, M. C., and Baker, R. T. (2008) Deubiquitylating enzymes and disease, *BMC Biochem 9 Suppl 1,* S3.
3. Reyes-Turcu, F. E., Ventii, K. H., and Wilkinson, K. D. (2009) Regulation and cellular roles of ubiquitin-specific deubiquitinating enzymes, *Annu Rev Biochem 78,* 363–397.
4. Hussain, S., Zhang, Y., and Galardy, P. J. (2009) DUBs and cancer: the role of deubiquitinating enzymes as oncogenes, non-oncogenes and tumor suppressors, *Cell Cycle 8,* 1688–1697.
5. Oestergaard, V. H., Langevin, F., Kuiken, H. J., Pace, P., Niedzwiedz, W., Simpson, L. J., Ohzeki, M., Takata, M., Sale, J. E., and Patel, K. J. (2007) Deubiquitination of FANCD2 is required for DNA crosslink repair, *Mol Cell 28,* 798–809.
6. Kim, J. M., Parmar, K., Huang, M., Weinstock, D. M., Ruit, C. A., Kutok, J. L., and D'Andrea, A. D. (2009) Inactivation of murine Usp1 results in genomic instability and a Fanconi anemia phenotype, *Dev Cell 16,* 314–320.
7. Chen, J., Dexheimer, T. S., Ai, Y., Liang, Q., Villamil, M. A., Inglese, J., Maloney, D. J., Jadhav, A., Simeonov, A., and Zhuang, Z. (2011) Selective and Cell-Active Inhibitors of the USP1/UAF1 Deubiquitinase Complex Reverse Cisplatin Resistance in Non-small Cell Lung Cancer Cells, *Chemistry & biology 18,* 1390–1400.

Patent Status

US Provisional Patent Application No. 61/747,052 entitled "Inhibitors of the USP/UAF1 Deubiquitinase Complexes and Uses Thereof" filed December 28, 2012; Inventors: Thomas Dexheimer (NCATS), Ajit Jadhav (NCATS), Qin Liang (University of Delaware), David Maloney (NCATS), Andrew Rosenthal (NCATS), Anton Simeonov (NCATS), Zhihao Zhuang (University of Delaware) NIH Ref. No.: E–043–2013/0–US–01.

PCT Application No. PCT/US2013/077804 entitled, "Inhibitors of the USP/UAF1 Deubiquitinase Complexes and Uses Thereof" filed December 26, 2013 Inventors: Thomas Dexheimer (NCATS), Ajit Jadhav (NCATS), Qin Liang (University of Delaware), Diane Luci (NCATS), David Maloney (NCATS), Andrew Rosenthal (NCATS), Anton Simeonov (NCATS), Zhihao Zhuang (University of Delaware) NIH Ref. No.: E–043–2013/0–PCT–02.

Dated: June 12, 2014.

Christopher P. Austin,

Director, National Center for Advancing Translational Sciences, National Institutes of Health.

[FR Doc. 2014–14719 Filed 6–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by an agency of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 209 and 37 CFR Part 404 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Licensing information and copies of the U.S. patent applications listed below may be obtained by writing to the indicated licensing contact at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301–496–7057; fax: 301–402–0220. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

SUPPLEMENTARY INFORMATION: Technology descriptions follow.

AMA1–RON2 Complex-Based Vaccine Against Malaria

Description of Technology: This technology relates to a malaria vaccine composed of a protein complex of Apical Membrane Antigen (AMA1) and rhoptry neck protein 2 (RON2) with an adjuvant. AMA1 is a crucial component of the *Plasmodium* invasion machinery and is a leading candidate for antimalarial vaccine development.

AMA1-based vaccines have shown ability to block red cell invasion in *in vitro* assays, but protection has so far not translated to *in vivo* human infections. NIAID investigators have demonstrated that interaction between AMA1 and RON2 (or peptide thereof) is essential for malaria parasites to successfully enter human red blood cells (RBCs). Vaccination with un-complexed AMA1 and RON2 did not protect against lethal malaria. However, vaccination with a pre-formed AMA1–RON2 complex, highlighted in this technology, produced antibodies that protected against lethal malaria in an *in vivo* mouse model (*P. yoelli*) and blocked the entry of human malaria parasites into RBCs *in vitro*. Additionally, the inhibitory antibody response induced by the AMA1–RON2 complex was greater than AMA1 alone or when AMA1 and RON2 proteins were administered in a un-complexed form.

Immunization using the AMA1–RON2 complex of this technology represents a candidate for an effective malaria vaccine against multiple *Plasmodium* species.

Potential Commercial Applications: Malaria vaccine.

Competitive Advantages: Lower-cost malarial prevention for developing/developed countries.

Development Stage:

- Early-stage.
- In vitro data available.
- In vivo data available (animal).

Inventors: Prakash Srinivasan and Louis Miller (NIAID).

Publications:

1. Srinivasan P, et al. Binding of Plasmodium merozoite proteins RON2 and AMA1 triggers commitment to invasion. Proc Natl Acad Sci U S A. 2011 Aug 9;108(32):13275–80. [PMID 21788485].

2. Srinivasan P, et al. Disrupting malaria parasite AMA1–RON2 interaction with a small molecule prevents erythrocyte invasion. Nat Commun. 2013;4:2261. [PMID 23907321].

Intellectual Property: HHS Reference No. E–066–2013/0—U.S. Provisional Application No. 61/841,479 filed 01 Jul 2013.

Licensing Contact: Edward (Tedd) Fenn; 424–297–0336; *Tedd.fenn@nih.gov.*

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize MA1–RON2 vaccine by providing well established human adjuvants and clinical trial funding. For collaboration opportunities, please contact Mala Dutta, Ph.D. at 240–627–3684 or *mala.dutta@nih.gov.*

A Novel Therapeutic Technology for Treating Glioblastoma Multiforme and Other Cancers

Description of Technology: Glioblastoma Multiforme (GBM) is the most common and devastating form of brain cancer. Despite existing conventional therapies, including an initial surgical resection followed by chemotherapy and radiation, GBM is currently incurable with a median survival of approximate 15 months and a two-year survival of 30%.

This invention discloses a novel therapeutic technology to treat GBM by using induced electric fields that are applied to the brain tissue via an array of coils placed over the scalp. The device of the invention consists of a portable current generator with a customized coil array. It has been shown to reduce pain for patients and be easy to use.

Potential Commercial Applications:

- Treatment of patients with Glioblastoma Multiforme (GBM).
- Clinical research device for Glioblastoma Multiforme.
- Possible application to other cancers.
- Research tool to study mechanisms of electric field effects on mitosis and other cell and tissue processes.
- May be useful in improving effectiveness and enhancing delivery of adjuvant therapies.

Competitive Advantages:

- Portable.
- Painless.
- Easy to operate.
- No scalp burns that occur when using current electrodes.

Development Stage:

- Early-stage.
- Prototype.

Inventor: Peter J. Basser (NICHD).

Publications:

1. Silva S, et al. Elucidating the mechanisms and loci of neuronal excitation by transcranial magnetic stimulation using a finite element model of a cortical sulcus. Clin Neurophysiol. 2008 Oct;119(10):2405–13. [PMID 18783986].

2. Salvador R, el al. Determining which mechanisms lead to activation in the motor cortex: A modeling study of transcranial magnetic stimulation using realistic stimulus waveforms and sulcal geometry. Clin Neurophysiol. 2011 Apr;122(4):748–58. [PMID 21035390].

3. Miranda PC, et al. Tissue heterogeneity as a mechanism for localized neural stimulation by applied electric fields. Phys Med Biol. 2007 Sep 21;52(18):5603–17. [PMID 17804884].

4. Miranda PC, et al. The electric field induced in the brain by magnetic stimulation: A 3–D finite-element analysis of the effect of tissue heterogeneity and anisotropy. IEEE Trans Biomed Eng. 2003 Sep;50(9):1074–85. [PMID 12943275].

5. Basser PJ. Focal magnetic stimulation of an axon. IEEE Trans Biomed Eng. 1994 Jun;41(6):601–6. [PMID 7927380]

6. Miranda PC, et al. Modeling the current distribution during transcranial direct current stimulation. Clin Neurophysiol. 2006 Jul;117(7):1623–9. [PMID 16762592].

Intellectual Property: HHS Reference No. E–187–2012/0—US Patent Application No. 61/954,494 filed 17 March 2014.

Licensing Contact: John Stansberry, Ph.D.; 301–435–5236; *stansbej@mail.nih.gov.*

Collaborative Research Opportunity: The *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, Program on Pediatric Imaging and Tissue Sciences, Section on Tissue Biophysics and Biomimetics, is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize technology that uses a.c. current electrodes to try to kill GBM cells. For collaboration opportunities, please contact Alan Hubbs, Ph.D. at *hubbsa@mail.nih.gov.*

Broadly Neutralizing Human Anti-HIV Monoclonal Antibody 10E8 and Related Antibodies Capable of Neutralizing Most HIV–1 Strains

Description of Technology: The uses for human anti-HIV monoclonal antibody 10E8 and its variants include passive immunization, therapeutic vaccination, and the development of vaccine immunogens. 10E8 is one of the most potent HIV-neutralizing antibodies isolated and it neutralizes up to 98% of diverse HIV–1 strains. 10E8 is specific to the membrane-proximal external region (MPER) of the HIV envelope protein gp41 and 10E8 is orthogonal to other anti-HIV antibodies. In combination with other antibodies 10E8 may provide an antibody response that neutralizes nearly all strains of HIV–1. Additionally, 10E8 effectively induces antibody-dependent cellular cytotoxicity (ADCC) indicating its potential use for therapeutic vaccine strategies. Further, 10E8 is a tool for immunogen design and validation of immunogen structure.

NIAID is currently developing certain embodiments of 10E8 for clinical use. Therefore, for some fields of use, NIH will evaluate a license applicant's capabilities and experience in advancing similar technologies through the regulatory process. This technology is not eligible for the NIH's start-up license program.

Potential Commercial Applications:

- Passive protection to prevent HIV infection.
- Passive protection to prevent mother-to-infant HIV transmission.
- Topical microbicide to prevent HIV infection.
- Gene-based vectors for anti-gp41 antibody expression.
- Therapeutic for the elimination of HIV infected cells that are actively producing virus.

Competitive Advantages:

- One of the most potent Human broadly-neutralizing anti HIV antibodies isolated to date.
- Broad reactivity and high affinity to most HIV–1 strains.
- Activity is highly complementary to existing broadly neutralizing antibodies, such as CD4 binding site antibodies.
- Not auto-reactive.

Development Stage:

- In vitro data available.
- In vivo data available (animal).

Inventors: Mark Connors, Jinghe Huang, Leo Laub, John Mascola, Gary Nabel, Peter Kwong, Baoshan Zhang, Rebecca Rudicell, Ivelin Geogiev, Yongping Yang, Jiang Zhu, and Giled Oflek.

Publication: Huang J, et al. Broad and potent neutralization of HIV–1 by a gp41-specific human antibody. Nature. 2012 Nov 15;491(7424):406–12. [PMID 23151583].

Intellectual Property: HHS Reference Nos. E–253–2011/0,1,2,3—Neutralizing gp41 antibodies and their use.

- US Provisional Patent Application Nos. 61/556,660 filed 07 Nov 2011; 61/672,708 filed 17 Jul 2012; and 61/698,480 filed 07 Sep 2012.
- PCT Patent Application No. PCT/US2012/063958 (Publication No. WO/2013/070776) filed 07 Nov 2012; and corresponding applications filed in BR, CN, EP, IN, RU, US, and ZA.

Licensing Contact: Cristina Thalhammer-Reyero, Ph.D., MBA; +1 301–435–4507; *thalhamc@mail.nih.gov.*

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize 10E8-related vaccines or immunotherapies. For collaboration opportunities, please contact Bill Ronnenberg at +1 240–627–3726 or *wronnenberg@niaid.nih.gov.*

Dated: June 18, 2014.

Richard U. Rodriguez,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2014–14650 Filed 6–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel Brain Imaging in Alzheimer's Disease.

Date: June 27, 2014.

Time: 11:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Samuel C Edwards, Ph.D., IRG CHIEF, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435–1246, *edwardss@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(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: June 18, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14646 Filed 6–23–14; 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 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), 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 Clinical Study Applications.

Date: July 16, 2014.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Democracy Boulevard, Suite 800, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Helen Lin, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Arthritis, Musculoskeletal and Skin Diseases, NIH, 6701 Democracy Boulevard, Suite 800, Bethesda, MD 20892, 301–594–4952, *linh1@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: June 18, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14647 Filed 6–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the

provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, Ancillary Study in Bariatric Surgery.

Date: July 24, 2014.

Time: 3:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Maria E. Davila-Bloom, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 758, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7637, *davila-bloomm@extra.niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: June 18, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14649 Filed 6–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), 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 Biomedical Imaging and Bioengineering Special Emphasis Panel NIBIB R25 Review.

Date: November 20, 2014.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Ruth Grossman, DDS, Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, 6707 Democracy Boulevard, Room 960, Bethesda, MD 20892, 301–496–8775, *grossmanrs@mail.nih.gov.*

Dated: June 18, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14648 Filed 6–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications ,the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member conflict: Topics in Bacterial Pathogenesis.

Date: July 15–16, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Guangyong Ji, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3211, MSC 7808, Bethesda, MD 20892, 301–435–1146, *jig@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel Small Business: Molecular Analysis Technology.

Date: July 23, 2014.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Zhang-Zhi Hu, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6186, MSC 7804, Bethesda, MD 20892, (301) 594–2414, *huzhuang@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel PA13–313: Academic Research Enhancement Award (R15) Program: Endocrinology, Metabolism, Nutrition and Reproduction.

Date: July 23, 2014.

Time: 1:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Reed A Graves, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6166, MSC 7892, Bethesda, MD 20892, (301) 402–6297, *gravesr@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel Program Project: BTRC Center Review.

Date: July 23–25, 2014.

Time: 6:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

Contact Person: Craig Giroux, Ph.D., Scientific Review Officer, BST IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5150, Bethesda, MD 20892, 301–435–2204, *girouxcn@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: June 18, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14645 Filed 6–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a summary of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these

documents, call the SAMHSA Reports Clearance Officer on (240) 276–1243.

Project: 2015 National Survey on Drug Use and Health (OMB No. 0930–0110)—Revision

The National Survey on Drug Use and Health (NSDUH) is a survey of the U.S. civilian, non-institutionalized population aged 12 years old or older. The data are used to determine the prevalence of use of tobacco products, alcohol, illicit substances, and illicit use of prescription drugs. The results are used by SAMHSA, the Office of National Drug Control Policy (ONDCP), Federal government agencies, and other organizations and researchers to establish policy, direct program activities, and better allocate resources.

In order to continue producing current data, SAMHSA's Center for Behavioral Health Statistics and Quality (CBHSQ) must periodically update aspects of the NSDUH to reflect the changing substance use and mental health issues and to continue producing current data. CBHSQ has such plans for the 2015 NSDUH survey year to achieve two goals: (1) Revise the questionnaire to address changing policy and research data needs, and (2) modify the survey methodology to improve the quality of estimates and the efficiency of data collection and processing.

Planned revisions for the 2015 NSDUH to the questionnaire, methodology and materials, including an assessment of new computer equipment, were initially tested in 2012 as part of the NSDUH Questionnaire Field Test (QFT) (OMB No. 0930–0334), then further refined and tested again in 2013 during the NSDUH Dress Rehearsal (DR) (OMB No. 0930–0334). As such, most of the changes described herein were successfully tested as part of the QFT and/or DR unless otherwise specified.

The changes to the questionnaire content for 2015 will include: (a) Revisions to modules for smokeless tobacco, hallucinogens, inhalants, prescription drugs, special drugs, consumption of alcohol, and health care; (b) revisions to the educational attainment response categories; (c) a lower threshold of binge alcohol use for females; (d) a new methamphetamine module; (e) addition of two sexual orientation questions to be asked of adults; and (f) revisions to back-end demographics questions. Also, to aid respondent recall within the questionnaire, prescription drug images and a reference date calendar will display on the computer screen rather than being displayed in hard-copy, paper form.

There are a few additional changes to the questionnaire content for 2015 not tested during the DR, which include: (a) The term "Molly" will be added to questions about Ecstasy in the hallucinogens module; (b) routine updates to logic and wording for consistency and to maximize respondent comprehension; and (c) other minor changes to questions throughout the instrument to clarify intent.

Several changes are also planned to the methodology for 2015 in an effort to improve the efficiency of data collection and processing; these were tested during the QFT and DR. A new 7-inch touch screen tablet will be used for screening and interview respondent selection, in addition to a new lightweight laptop used to administer the questionnaire. Also redesigned versions of the lead letter (mailed to respondents prior to being contacted by an interviewer) and a question & answer brochure will be provided to respondents. As necessary, all materials provided to respondents for 2015 will be updated to now reference the U.S. Department of Health and Human Services (instead of U.S. Public Health Service) and any previous mention of the Contractor, Research Triangle Institute, will now appear as RTI International. Due to changes to the questionnaire content, the showcard booklet, which allows respondents to refer to information necessary for accurate responses, will contain fewer showcards.

Along with the new laptop, text to speech (TTS) software is being programmed and tested for implementation within the questionnaire for 2015. TTS uses a computer-generated voice to read text displayed on-screen, rather than relying on the pre-recorded audio files from a human voice used previously with the audio computer-assisted self-interviewing (ACASI) portions of the interview. Though TTS was not tested as part of the QFT or DR, during an evaluation of the software, there were no problems understanding any words or phrases produced by the TTS voices in English or Spanish, so it will be implemented for the 2015 NSDUH unless there is a significant problem shown during testing. If TTS is not implemented, the current method of using pre-recorded audio files will be continued for the 2015 NSDUH.

In addition, interviewers will now have the option of showing a short video via the multimedia capability of the touch screen tablet. The video (approx. 50 seconds in run time) will provide a brief explanation of the study and why participation is important. Also contained within the tablet and new for 2015 is a parental introductory script, designed to be read to a parent or guardian once a youth respondent is selected to complete an interview. This script will standardize the introductory conversations with parent/guardians.

As with all NSDUH/NHSDA (prior to 2002, the NSDUH was referred to as the National Household Survey on Drug Abuse (NHSDA)) surveys conducted since 1999, the sample size of the survey for 2015 will be sufficient to permit prevalence estimates for each of the fifty States and the District of Columbia. The sample design for 2015 will be the same as the design used for 2014 data collection. This design places more sample in the 26 or older age groups to more accurately estimate drug use and related mental health measures among the aging drug use population, and allows for the possible adoption of address-based sampling in the future. The total annual burden estimate is shown in Table 1.

TABLE 1—ANNUALIZED ESTIMATED BURDEN FOR 2015 NSDUH

Instrument	Number of respondents	Responses per respondent	Total number of responses	Hours per response	Total burden hours
Household Screening	125,176	1	125,176	0.083	10,390
Interview	67,507	1	67,507	1.000	67,507
Screening Verification	3,755	1	3,755	0.067	252
Interview Verification	10,126	1	10,126	0.067	678
Total	125,176		125,176		78,827

Written comments and recommendations concerning the proposed information collection should be sent by July 24, 2014 to the SAMHSA Desk Officer at the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). To ensure timely receipt of comments, and to avoid potential delays in OMB's receipt and processing of mail sent through the U.S. Postal Service, commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@omb.eop.gov.* Although commenters are encouraged to send their comments via email, commenters may also fax their comments to: 202–395–7285. Commenters may also mail them to: Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building, Room 10102, Washington, DC 20503.

Summer King,

Statistician.

[FR Doc. 2014–14713 Filed 6–23–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a summary of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (240) 276–1243.

Project: Protection and Advocacy for Individuals With Mental Illness (PAIMI) Annual Program Performance Report (OMB No. 0930–0169)—Extension

The Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act at 42 U.S.C. 10801 et seq., authorized funds to the same protection and advocacy (P&A) systems created under the Developmental Disabilities Assistance and Bill of Rights Act of 1975, known as the DD Act (as amended in 2000, 42 U.S.C. 15001 et seq.]. The DD Act supports the Protection and Advocacy for Developmental Disabilities (PADD) Program administered by the Administration on Intellectual and Developmental Disabilities (AIDD) within the Administration on Community Living. AIDD is the lead federal P&A agency. The PAIMI Program supports the same governor-designated P&A systems established under the DD Act by providing legal-based individual and systemic advocacy services to individuals with significant (severe) mental illness (adults) and significant (severe) emotional impairment (children/youth) who are at risk for abuse, neglect and other rights violations while residing in a care or treatment facility.

In 2000, the PAIMI Act amendments created a 57th P&A system—the American Indian Consortium (the Navajo and Hopi Tribes in the Four Corners region of the Southwest). The Act, at 42 U.S.C. 10804(d), states that a P&A system may use its allotment to provide representation to individuals with mental illness, as defined by section 42 U.S.C. 10802 (4)(B)(iii) residing in the community, including their own home, *only,* if the total allotment under this title for any fiscal year is $30 million or more, *and* in such cases an eligible P&A system *must* give priority to representing PAIMI-eligible individuals, as defined by 42 U.S.C. 10802(4)(A) and (B)(i).

The Children's Health Act of 2000 (CHA) also referenced the state P&A system authority to obtain information on incidents of seclusion, restraint and related deaths [see, CHA, Part H at 42 U.S.C. 290ii–1]. PAIMI Program formula grants awarded by SAMHSA go directly to each of the 57 governor-designated P&A systems. These systems are located in each of the 50 states, the District of Columbia, the American Indian Consortium, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands.

The PAIMI Act at 42 U.S.C. 10805(7) requires that each P&A system prepare and transmit to the Secretary HHS and to the head of its State mental health agency a report on January 1. This report describes the activities, accomplishments, and expenditures of the system during the most recently completed fiscal year, including a section prepared by the advisory council (the PAIMI Advisory Council or PAC) that describes the activities of the council and its independent assessment of the operations of the system.

The Substance Abuse Mental Health Services Administration (SAMHSA) proposes no revisions to its annual PAIMI Program Performance Report (PPR), including the advisory council section, at this time for the following reasons: (1) AIDD is currently piloting a PADD PPR. The results of the pilot will not be available until October 2014 (FY 2015). (2) when the AIDD/ACL PPR is final, SAMHSA will revise its PPR, as appropriate, for consistency with the annual reporting requirements under the PAIMI Act and Rules [42 CFR Part 51]; (3) SAMHSA will develop a mechanism to facilitate electronic submission of the annual PAIMI PPR and ACR as recommended in the *Evaluation of the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program, Phase III. Evaluation Report al Report* (SAMHSA (2011). *Evaluation of the Protection and Advocacy for Individuals With Mental Illness (PAIMI) Program, Phase III. Final Report.* HHS Pub. No. PEP12–EVALPAIMI. Rockville, MD: CMHS, SAMHSA). (4) GPRA requirements for the PAIMI Program will be revised as appropriate to ensure that SAMHSA obtains information that closely measures actual outcomes of programs that it funds and (5) SAMHSA will reduce wherever feasible the current reporting burden by removing any information that does not facilitate evaluation of the programmatic and fiscal effectiveness of a state P&A system. The current report formats will be effective for the FY 2014 PPR reports due on January 1, 2015.

The annual burden estimate is as follows:

	Number of respondents	Number of responses per respondent	Hours per response	Total hour burden
Program Performance Report	57	1	26	1,482
Advisory Council Report	57	1	10	570
Total	57			2,052

Written comments and recommendations concerning the proposed information collection should be sent by July 24, 2014 to the SAMHSA Desk Officer at the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). To ensure timely receipt of comments, and to avoid potential delays in OMB's receipt and processing of mail sent through the U.S. Postal Service, commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@omb.eop.gov.* Although commenters are encouraged to send their comments via email, commenters may also fax their comments to: 202–395–7285. Commenters may also mail them to: Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building, Room 10102, Washington, DC 20503.

Summer King,

Statistician.

[FR Doc. 2014–14663 Filed 6–23–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2014–0090]

Collection of Information Under Review by Office of Management and Budget

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting approval of a revision to the following collection of information: 1625–0092, Sewage and Graywater Discharge Records for Certain Cruise Vessels Operating on Alaskan Water. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: Comments must reach the Coast Guard and OIRA on or before July 24, 2014.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2014–0090] to the Docket Management Facility (DMF) at the U.S. Department of Transportation (DOT) and/or to OIRA. To avoid duplicate submissions, please use only one of the following means:

(1) *Online:* (a) To Coast Guard docket at *http://www.regulations.gov.* (b) To OIRA by email via: *OIRA-submission@omb.eop.gov* .

(2) *Mail:* (a) DMF (M–30), DOT, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. (b) To OIRA, 725 17th Street NW., Washington, DC 20503, attention Desk Officer for the Coast Guard.

(3) *Hand Delivery:* To DMF address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(4) *Fax:* (a) To DMF, 202–493–2251. (b) To OIRA at 202–395–6566. To ensure your comments are received in a timely manner, mark the fax, attention Desk Officer for the Coast Guard.

The DMF maintains the public docket for this Notice. Comments and material received from the public, as well as documents mentioned in this Notice as being available in the docket, will become part of the docket and will be available for inspection or copying at room W12–140 on the West Building Ground Floor, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find the docket on the Internet at *http://www.regulations.gov.*

Copies of the ICRs are available through the docket on the Internet at *http://www.regulations.gov.* Additionally, copies are available from: COMMANDANT (CG–612), ATTN: PAPERWORK REDUCTION ACT MANAGER, US COAST GUARD, 2703 MARTIN LUTHER KING JR. AVE. SE., STOP 7710, WASHINGTON, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Anthony Smith, Office of Information Management, telephone 202–475–3532 or fax 202–372–8405, for questions on these documents. Contact Ms. Cheryl Collins, Program Manager, Docket Operations, 202–366–9826, for questions on the docket.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collections. There is one ICR for each Collection.

The Coast Guard invites comments on whether these ICRs should be granted based on the Collections being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collections; (2) the accuracy of the estimated burden of the Collections; (3) ways to enhance the quality, utility, and clarity of information subject to the Collections; and (4) ways to minimize the burden of the Collections on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICRs referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG 2014–0090], and must be received by July 24, 2014. We will post all comments received, without change, to *http://www.regulations.gov.* They will include any personal information you provide. We have an agreement with DOT to use their DMF. Please see the "Privacy Act" paragraph below.

Submitting Comments

If you submit a comment, please include the docket number [USCG–2014–0090]; indicate the specific section of the document to which each comment applies, providing a reason for each comment. You may submit your comments and material online (via *http://www.regulations.gov*), by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *www.regulations.gov,* it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the DMF. We recommend you include your name, mailing address, an email address, or other contact information in the body of your document so that we can contact you if we have questions regarding your submission.

You may submit comments and material by electronic means, mail, fax, or delivery to the DMF at the address

under **ADDRESSES**, but please submit them by only one means. To submit your comment online, go to *http://www.regulations.gov*, and type "USCG–2014–0090" in the "Search" box. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and will address them accordingly.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this Notice as being available in the docket, go to *http://www.regulations.gov*, click on the "read comments" box, which will then become highlighted in blue. In the "Search" box insert "USCG–2014–0090" and click "Search." Click the "Open Docket Folder" in the "Actions" column. You may also visit the DMF in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

OIRA posts its decisions on ICRs online at *http://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Numbers: 1625–0092.

Privacy Act

Anyone can search the electronic form of comments received in dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act statement regarding Coast Guard public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (79 FR 18044, March 31, 2014) required by 44 U.S.C. 3506(c)(2). That Notice elicited no comments.

Information Collection Request

1. *Title:* Sewage and Graywater Discharge Records for Certain Cruise Vessels Operating on Alaskan Waters.

OMB Control Number: 1625–0092.

Type of Request: Revision of a currently approved collection.

Respondents: Owners, operators and masters of vessels.

Abstract: To comply with Public Law 106–554, this information collection is needed to enforce sewage and graywater discharges requirements from certain cruise ships operating on Alaskan waters. Respondents are owners and operators of vessels.

Forms: None.

Burden Estimate: The estimated burden has decreased from 2,121 hours to 1,218 hours a year due to a decrease in the number of respondents.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: June 16, 2014.

Marshall B. Lytle,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Command, Control, Communications, Computers and Information Technology.

[FR Doc. 2014–14636 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2014–0091]

Collection of Information Under Review by Office of Management and Budget

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting approval of a revision to the following collection of information: 1625–0058, Application for Permit to Transport Municipal and Commercial Waste. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: Comments must reach the Coast Guard and OIRA on or before July 24, 2014.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2014–0091] to the Docket Management Facility (DMF) at the U.S. Department of Transportation (DOT) and/or to OIRA. To avoid duplicate submissions, please use only one of the following means:

(1) *Online:* (a) To Coast Guard docket at *http://www.regulations.gov.* (b) To OIRA by email via: *OIRA-submission@omb.eop.gov.*

(2) *Mail:* (a) DMF (M–30), DOT, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. (b) To OIRA, 725 17th Street NW., Washington, DC 20503, attention Desk Officer for the Coast Guard.

(3) *Hand Delivery:* To DMF address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(4) *Fax:* (a) To DMF, 202–493–2251. (b) To OIRA at 202–395–6566. To ensure your comments are received in a timely manner, mark the fax, attention Desk Officer for the Coast Guard.

The DMF maintains the public docket for this Notice. Comments and material received from the public, as well as documents mentioned in this Notice as being available in the docket, will become part of the docket and will be available for inspection or copying at room W12–140 on the West Building Ground Floor, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find the docket on the Internet at *http://www.regulations.gov.*

Copies of the ICRs are available through the docket on the Internet at *http://www.regulations.gov.* Additionally, copies are available from: COMMANDANT (CG–612), ATTN: PAPERWORK REDUCTION ACT MANAGER, U.S. COAST GUARD, 2703 MARTIN LUTHER KING JR. AVE. SE., STOP 7710, WASHINGTON, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Anthony Smith, Office of Information Management, telephone 202–475–3532 or fax 202–372–8405, for questions on these documents. Contact Ms. Cheryl Collins, Program Manager, Docket Operations, 202–366–9826, for questions on the docket.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and

other important information describing the Collections. There is one ICR for each Collection.

The Coast Guard invites comments on whether these ICRs should be granted based on the Collections being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collections; (2) the accuracy of the estimated burden of the Collections; (3) ways to enhance the quality, utility, and clarity of information subject to the Collections; and (4) ways to minimize the burden of the Collections on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICRs referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG 2014–0091], and must be received by July 24, 2014. We will post all comments received, without change, to *http://www.regulations.gov*. They will include any personal information you provide. We have an agreement with DOT to use their DMF. Please see the "Privacy Act" paragraph below.

Submitting Comments

If you submit a comment, please include the docket number [USCG–2014–0091]; indicate the specific section of the document to which each comment applies, providing a reason for each comment. You may submit your comments and material online (via *http://www.regulations.gov*), by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *www.regulations.gov*, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the DMF. We recommend you include your name, mailing address, an email address, or other contact information in the body of your document so that we can contact you if we have questions regarding your submission.

You may submit comments and material by electronic means, mail, fax, or delivery to the DMF at the address under **ADDRESSES**, but please submit them by only one means. To submit your comment online, go to *http://www.regulations.gov*, and type "USCG–2014–0091" in the "Search" box. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and will address them accordingly.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this Notice as being available in the docket, go to *http://www.regulations.gov*, click on the "read comments" box, which will then become highlighted in blue. In the "Search" box insert "USCG–2014–0091" and click "Search." Click the "Open Docket Folder" in the "Actions" column. You may also visit the DMF in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

OIRA posts its decisions on ICRs online at *http://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Numbers: 1625–0058.

Privacy Act

Anyone can search the electronic form of comments received in dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act statement regarding Coast Guard public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (79 FR 18045, March 31, 2014) required by 44 U.S.C. 3506(c)(2). That Notice elicited no comments.

Information Collection Request.

1. *Title:* Application for Permit to Transport Municipal and Commercial Waste.

OMB Control Number: 1625–0058.

Type of Request: Extension of a currently approved collection.

Respondents: Owners and operators of vessels.

Abstract: This information collection provides the basis for issuing or denying a permit for the transportation of municipal or commercial waste in the coastal waters of the United States. Respondents are owners and operators of vessels.

Forms: None.

Burden Estimate: The estimated burden remains unchanged at 13 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: June 16, 2014.

Marshall B. Lytle,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Command, Control, Communications, Computers and Information Technology.

[FR Doc. 2014–14643 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2014–0207]

Collection of Information Under Review by Office of Management and Budget

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding Information Collection Requests (ICRs), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting approval of an extension to the following collection of information: 1625–0073, Alteration of Unreasonably Obstructive Bridges. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: Comments must reach the Coast Guard and OIRA on or before July 24, 2014.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2014–0207] to the Docket Management Facility (DMF) at the U.S. Department of Transportation (DOT) and/or to OIRA. To avoid duplicate submissions, please use only one of the following means:

(1) *Online:* (a) To Coast Guard docket at *http://www.regulations.gov*. (b) To OIRA by email via: *OIRA-submission@omb.eop.gov*.

(2) *Mail:* (a) DMF (M–30), DOT, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. (b) To OIRA, 725 17th Street NW., Washington, DC 20503, attention Desk Officer for the Coast Guard.

(3) *Hand Delivery:* To DMF address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(4) *Fax:* (a) To DMF, 202–493–2251. (b) To OIRA at 202–395–6566. To ensure your comments are received in a timely manner, mark the fax, attention Desk Officer for the Coast Guard.

The DMF maintains the public docket for this Notice. Comments and material received from the public, as well as documents mentioned in this Notice as being available in the docket, will become part of the docket and will be available for inspection or copying at room W12–140 on the West Building Ground Floor, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find the docket on the Internet at *http://www.regulations.gov.*

Copies of the ICRs are available through the docket on the Internet at *http://www.regulations.gov.* Additionally, copies are available from: COMMANDANT (CG–612), ATTN: PAPERWORK REDUCTION ACT MANAGER, U.S. COAST GUARD, 2703 MARTIN LUTHER KING, JR. AVE. SE., STOP 7710, WASHINGTON, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Anthony Smith, Office of Information Management, telephone 202–475–3532 or fax 202–372–8405, for questions on these documents. Contact Ms. Cheryl Collins, Program Manager, Docket Operations, 202–366–9826, for questions on the docket.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collections. There is one ICR for each Collection.

The Coast Guard invites comments on whether these ICRs should be granted based on the Collections being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) the practical utility of the Collections; (2) the accuracy of the estimated burden of the Collections; (3) ways to enhance the quality, utility, and clarity of information subject to the Collections; and (4) ways to minimize the burden of the Collections on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICRs referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG 2014–0207], and must be received by July 24, 2014. We will post all comments received, without change, to *http://www.regulations.gov.* They will include any personal information you provide. We have an agreement with DOT to use their DMF. Please see the "Privacy Act" paragraph below.

Submitting Comments

If you submit a comment, please include the docket number [USCG–2014–0207]; indicate the specific section of the document to which each comment applies, providing a reason for each comment. You may submit your comments and material online (via *http://www.regulations.gov*), by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *www.regulations.gov*, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the DMF. We recommend you include your name, mailing address, an email address, or other contact information in the body of your document so that we can contact you if we have questions regarding your submission.

You may submit comments and material by electronic means, mail, fax, or delivery to the DMF at the address under **ADDRESSES**, but please submit them by only one means. To submit your comment online, go to *http://www.regulations.gov*, and type "USCG–2014–0207" in the "Search" box. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and will address them accordingly.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this Notice as being available in the docket, go to *http://www.regulations.gov,* click on the "read comments" box, which will then become highlighted in blue. In the "Search" box insert "USCG–2014–0207" and click "Search." Click the "Open Docket Folder" in the "Actions" column. You may also visit the DMF in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

OIRA posts its decisions on ICRs online at *http://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Numbers: 1625–0073.

Privacy Act

Anyone can search the electronic form of comments received in dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act statement regarding Coast Guard public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (79 FR 22153, April 21, 2014) required by 44 U.S.C. 3506(c)(2). That Notice elicited no comments.

Information Collection Request

1. *Title:* Alteration of Unreasonably Obstructive Bridges.

OMB Control Number: 1625–0073.

Type of Request: Extension of a currently approved collection.

Respondents: Public and private owners of bridges over navigable waters of the United States.

Abstract: 33 U.S.C. 494, 502, 511, 513, 514, 515, 516, 517, 521, 522, 523, and 524 authorizes the Coast Guard to determine if a bridge is an unreasonable

obstruction to navigation and can require plans and specifications from bridge owners to apportion costs between the U.S. and bridge owners and use as a starting point for bridge alteration projects.

Forms: None.

Burden Estimate: The estimated annual burden remains unchanged at 240 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: June 16, 2014.

Marshall B. Lytle,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Command, Control, Communications, Computers and Information Technology.

[FR Doc. 2014–14644 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2014–0406]

Waterway Suitability Assessment for Construction and Operation of Liquefied Gas Terminals; Vidor, TX

AGENCY: Coast Guard, DHS.

ACTION: Notice and request for comments.

SUMMARY: Enterprise Terminalling LLC has submitted a Letter of Intent and Preliminary Waterway Suitability Assessment to the Coast Guard Captain of the Port, Port Arthur, TX regarding the company's plans to construct, own and operate a waterfront facility handling Liquefied Hazardous Gas (LHG) at its Vidor, Texas facility. The Coast Guard is notifying the public of this action to solicit public comments on the proposed increase in LHG handling and associated marine traffic on the Sabine-Neches Waterway.

DATES: Comments and related material must be received on or before July 24, 2014.

ADDRESSES: Submit comments using one of the listed methods, and see **SUPPLEMENTARY INFORMATION** for more information on public comments.

- *Online—http://www.regulations.gov* following Web site instructions.
- *Fax*—202–493–2251.
- *Mail* or *hand deliver*—Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Hours for hand delivery are 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays (telephone 202–366–9329).

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email LTJG Akaninyene Inyang, U.S. Coast Guard; telephone 409–719–5067, email *akaninyene.a.inyang@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826, toll free 1–800–647–5527.

SUPPLEMENTARY INFORMATION:

Public Participation and Comments

We encourage you to submit comments (or related material) in response to this notice.

We will consider all submissions and may adjust our final action based on your comments. Comments should be marked with docket number USCG–2014–0406 and should provide a reason for each suggestion or recommendation. You should provide personal contact information so that we can contact you if we have questions regarding your comments; but please note that all comments will be posted to the online docket without change and that any personal information you include can be searchable online (see the **Federal Register** Privacy Act notice regarding our public dockets, 73 FR 3316, Jan. 17, 2008).

Mailed or hand-delivered comments should be in an unbound 8½ x 11 inch format suitable for reproduction. The Docket Management Facility will acknowledge receipt of mailed comments if you enclose a stamped, self-addressed postcard or envelope with your submission.

Documents mentioned in this notice, and all public comments, are in our online docket at *http://www.regulations.gov* and can be viewed by following the Web site's instructions. You can also view the docket at the Docket Management Facility (see the mailing address under **ADDRESSES**) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

We do not now plan to hold a public meeting, but you may submit a request for one, using one of the methods specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register.**

Discussion

Under 33 CFR 127.007(a), an owner or operator planning new construction to expand or modify marine terminal operations in an existing facility handling Liquefied Natural Gas (LNG) or Liquefied Hazardous Gas (LHG), where the construction, expansion, or modification would result in an increase in the size and/or frequency of LNG or LHG marine traffic on the waterway associated with the facility, must submit a Letter of Intent (LOI) to the COTP of the zone in which the facility is located. Under 33 CFR 127.007(e), an owner or operator planning such an expansion must also file or update a Waterway Suitability Assessment (WSA) that addresses the proposed increase in LNG or LHG marine traffic in the associated waterway. Enterprise Terminalling LLC located in Vidor, Texas submitted an LOI and WSA on February 27, 2014 regarding the company's proposed construction and operation of LHG capabilities at its Vidor, Texas facility.

Under 33 CR 127.009, after receiving an LOI, the COTP issues a Letter of Recommendation (LOR) as to the suitability of the waterway for LNG or LHG marine traffic to the appropriate jurisdictional authorities. The LOR is based on a series of factors outlined in 33 CFR 127.009 that related to the physical nature of the affected waterway and issues of safety and security associated with LNG or LHG marine traffic on the affected waterway.

The purpose of this notice is to solicit public comments on the proposed increase in LHG marine traffic on the Sabine-Neches Waterway. The Coast Guard believes that input from the public may be useful to the COTP with respect to development of the LOR. Additionally, the Coast Guard intends to task the Area Maritime Security Committee, Port Arthur, Texas and the Southeast Texas Waterways Advisory Council (SETWAC) with forming a subcommittee comprised of affected port users and stakeholders. The goal of these subcommittees will be to gather information to help the COTP assess the suitability of the associated waterway for increased LHG marine traffic as it relates to navigational safety and security.

On January 24, 2011, the Coast Guard published Navigation and Vessel Inspection Circular (NVIC) 01–2011, "Guidance Related to Waterfront Liquefied Natural Gas (LNG) Facilities." NVIC 01–2011 provides guidance for owners and operators seeking approval to build and operate LNG facilities. While NVIC 01–2011 is specific to LNG, it provides useful process information and guidance for owners and operators seeking approval to build and operate LHG facilities as well. The Coast Guard will refer to NVIC 01–2011 for process information and guidance in evaluating Enterprise Terminalling LLC WSA. A copy of NVIC 01–2011 is available on

the Coast Guard's Web site at *http://www.uscg.mil/hq/cg5/nvic/2010s.asp.*

This notice is issued under authority of 33 U.S.C. 1223–1225, Department of Homeland Security Delegation Number 0170.1(70), 33 CFR 127.009, and 33 CFR 103.205.

Dated: May 21, 2014.

G.J. Paitl,

Captain, U.S. Coast Guard, Captain of the Port, Port Arthur.

[FR Doc. 2014–14634 Filed 6–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Certispec Services USA, Inc., as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Certispec Services USA, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Certispec Services USA, Inc., has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes for the next three years as of March 14, 2014.

DATES: *Effective Dates:* The accreditation and approval of Certispec Services USA, Inc., as commercial gauger and laboratory became effective on March 14, 2014. The next triennial inspection date will be scheduled for March 2017.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Certispec Services USA, Inc., 1448 Texas Avenue, Texas City, TX 77590, has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Certispec Services USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API Chapters	Title
3	Tank gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurements.

Certispec Services USA, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	ASTM D–287	Standard Test Method for API Gravity of crude Petroleum and Petroleum Products (Hydrometer Method).
27–03	ASTM D–4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	ASTM D–95	Standard test method for water in petroleum products and bituminous materials by distillation.
27–05	ASTM D–4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	ASTM D–473	Standard test method for sediment in crude oils and fuel oils by the extraction method.
27–08	ASTM D–86	Standard test method for distillation of petroleum products.
27–11	ASTM D–445	Standard test method for kinematic viscosity of transparent and opaque liquids (and calculations of dynamic viscosity).
27–13	ASTM D–4294	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27–48	ASTM D–4052	Standard test method for density and relative density of liquids by digital density meter.
27–50	ASTM D–93	Standard test methods for flash point by Penske-Martens Closed Cup Tester.
27–57	ASTM D–7039	Standard test method for Sulfur in gasoline and diesel fuel by monochromatic wavelength dispersive X-Ray fluorescence spectrometry.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.

http://www.cbp.gov/sites/default/files/documents/gaulist_3.pdf

Dated: June 16, 2014.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2014–14666 Filed 6–23–14; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5759–N–10]

60-Day Notice of Proposed Information Collection: Public Housing Assessment System (PHAS) Appeals; PHAS Unaudited Financial Statement Submission Extensions; Assisted and Insured Housing Property Inspection Technical Reviews and Database Adjustments

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, PIH, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* August 25, 2014.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–5564 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Arlette Mussington, Office of Policy, Programs and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street SW., (L'Enfant Plaza, Room 2206), Washington, DC 20410; telephone 202–402–4109, (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Mussington.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Public Housing Assessment System (PHAS) Appeals; Public Housing and Multifamily Housing Technical Reviews and Database Adjustments; Assisted and Insured Housing property inspection Technical Reviews and Database Adjustments.

OMB Approval Number: 2577–0257.

Type of Request: Revision of a currently approved collection.

Form Number: Not yet assigned.

Description of the need for the information and proposed use: Pursuant to § 6(j)(2)(A)(iii) of the United States Housing Act of 1937, as amended, HUD established procedures in the Public Housing Assessment System (PHAS) rule for a public housing agencies (PHAs) to appeal a troubled assessment designation (§ 902.69). The PHAS rule in §§ 902.24 and 902.68 also provides that under certain circumstances PHAs may submit a request for a database adjustment and technical review, respectively, of physical condition inspection results.

Pursuant to the Office of Housing Physical Condition of Multifamily Properties regulation at § 200.857(d) and (e), multifamily property owners also have the right, under certain circumstances, to submit a request for a database adjustment and technical review, respectively, of physical condition inspection results.

Appeals when granted change assessment scores and designations, and database adjustments and technical reviews when granted change property scores, all of which result is more accurate assessments.

Section 902.60 of the PHAS rule also provides that, in extenuating circumstances, PHAs may request an extension of time to submit required unaudited financial information. When granted, an extension of time postpones the imposition of sanctions for a late submission.

Respondents: Public Housing Agencies (PHAs) and Multifamily Housing property owners (MF POs).

Estimated Number of Respondents: 34,000.

Estimated Number of Responses: 1,430.

Frequency of Response: Once for each PHA to submit a PHAS appeal; once for each PHA or MF PO to request a technical review or database adjustment; and once for each PHA to request an extension of time to submit unaudited financial information.

Average Hours per Response: Average of five hours per PHAS appeal; average of eight hours for each request for a technical review or database adjustment; average of ten minutes for a request for an extension of time to submit unaudited financial information.

Total Estimated Burdens: Total estimated annual burden for PHAS appeals and PHA and MF PO requests for technical reviews and database adjustments is $ 306,950; total estimated burden for requests for extensions of time to submit unaudited financial information is $ 222.75.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35 as amended.

Dated: June 18, 2014.

Merrie Nichols-Dixon,

Deputy Director, Office of Policy, Programs and Legislative Initiatives.

[FR Doc. 2014–14710 Filed 6–23–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R6–ES–2014–N105; FXES11130600000–145–FF06E00000]

Endangered and Threatened Wildlife and Plants; Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following application to conduct certain activities with endangered or threatened species. With some exceptions, the Endangered Species Act of 1973, as amended (Act), prohibits activities with endangered and threatened species unless a Federal permit allows such activity. The Act requires that we invite public comment before issuing this permit.

DATES: To ensure consideration, please send your written comments by July 24, 2014.

ADDRESSES: You may submit comments or requests for copies or more information by any of the following

methods. Alternatively, you may use one of the following methods to request hard copies or a CD–ROM of the documents. Please specify the permit you are interested in by number (e.g., Permit No. TE–XXXXXX).

- *Email: permitsR6ES@fws.gov.* Please refer to the respective permit number (e.g., Permit No. TE–XXXXXX) in the subject line of the message.
- *U.S. Mail:* Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486–DFC, Denver, CO 80225.
- *In-Person Drop-off, Viewing, or Pickup:* Call (303) 236–4212 to make an appointment during regular business hours at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

FOR FURTHER INFORMATION CONTACT: Kathy Konishi, Permit Coordinator, Ecological Services, (307) 772–2374 x248 (phone); *permitsR6ES@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

Background

The Act (16 U.S.C. 1531 *et seq.*) prohibits activities with endangered and threatened species unless a Federal permit allows such activity. Along with our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17, the Act provides for permits and requires that we invite public comment before issuing these permits.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes the permittees to conduct activities with U.S. endangered or threatened species for scientific purposes, enhancement of propagation or survival, or interstate commerce (the latter only in the event that it facilitates scientific purposes or enhancement of propagation or survival). Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Application Available for Review and Comment

We invite local, State, and Federal agencies and the public to comment on the following application. Documents and other information the applicant has submitted with the application are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

Permit Application Number TE121914

Applicant: USGS Northern Prairie Wildlife Research Center, 8711 37th Street SE., Jamestown, ND.

The applicant requests an amendment to their existing permit to take (capture, handle, and release), band, and conduct presence/absence surveys of interior least tern (*Sternula antillarum athalassos*) in North Dakota, South Dakota, Nebraska, and Montana for the purpose of enhancing the species' survival.

National Environmental Policy Act

In compliance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), we have made an initial determination that the proposed activities in these permits are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM 6 Appendix 1, 1.4C(1)).

Public Availability of Comments

All comments and materials we receive in response to these requests will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

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

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*).

Michael G. Thabault,

Assistant Regional Director, Mountain-Prairie Region.

[FR Doc. 2014–14676 Filed 6–23–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15906; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Western Archeological and Conservation Center, Tucson, AZ

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Department of the Interior, National Park Service, Western Archeological and Conservation Center has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Western Archeological and Conservation Center. If no additional requestors come forward, transfer of control of the human remains to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Western Archeological and Conservation Center at the address in this notice by July 24, 2014.

ADDRESSES: Dr. Stephanie Rodeffer, Museum Services Program Manager, Western Archeological and Conservation Center, 255 N. Commerce Park Loop, Tucson, AZ 85745, telephone (520) 791–6401, email *tef_rodeffer@nps.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Western Archeological and Conservation Center, Tucson, AZ. The human remains were removed from unknown locations.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the Museum Services Program Manager, Western Archeological and Conservation Center.

Consultation

A detailed assessment of the human remains was made by Western Archeological and Conservation Center professional staff in consultation with representatives of the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River

Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada; Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)); Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; San Juan Southern Paiute Tribe of Arizona; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Tohono O'odham Nation of Arizona; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; and Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California (hereafter referred to as "The Consulted Tribes").

The following tribes were invited to consult but did not participate in the face-to-face consultation meeting: Apache Tribe of Oklahoma; Arapaho Tribe of the Wind River Reservation, Wyoming; Big Pine Paiute Tribe of the Owens Valley (previously listed as the Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California); Bishop Paiute Tribe (previously listed as the Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California); Bridgeport Indian Colony (previously listed as the Bridgeport Paiute Indian Colony of California); Burns Paiute Tribe (previously listed as the Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon); Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); Comanche Nation, Oklahoma; Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California; Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon; Fort McDowell Yavapai Nation, Arizona; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona; Kewa Pueblo, New Mexico (previously listed as the Pueblo of Santo Domingo); Kiowa Indian Tribe of Oklahoma; Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada; Lone Pine Paiute-Shoshone Tribe (previously listed as the Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation, California); Lovelock Paiute Tribe of the Lovelock Indian Colony, Nevada; Navajo Nation, Arizona, New Mexico & Utah; Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada; Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada; Summit Lake Paiute Tribe of Nevada; Tonto Apache Tribe of Arizona; Walker River Paiute Tribe of the Walker River Reservation, Nevada; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Yavapai-Prescott Indian Tribe (previously listed as the Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona); Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch, Nevada; and Zuni Tribe of the Zuni Reservation, New Mexico (hereafter referred to as "The Invited Tribes").

History and Description of the Remains

At unknown dates, human remains representing, at minimum, 23 individuals were removed from unknown locations and later found in the collections of the Western Archeological and Conservation Center. No known individuals were identified. No associated funerary objects are present.

Pursuant to 43 CFR 10.16, the Secretary of the Interior may make a recommendation for a transfer of control of culturally unidentifiable human remains. In November 2013, the Western Archeological and Conservation Center requested that the Secretary, through the Native American Graves Protection and Repatriation Review Committee, recommend the proposed transfer of control of the culturally unidentifiable Native American human remains in this notice to the Hopi Tribe of Arizona. The Review Committee, acting pursuant to its responsibility under 25 U.S.C. 3006(c)(5), considered the request at its November 2013 meeting and recommended to the Secretary that the proposed transfer of control proceed. A December 11, 2013 letter on behalf of the Secretary of Interior from the Designated Federal Official transmitted the Secretary's independent review and concurrence with the Review Committee that:

- None of The Consulted Tribes or The Invited Tribes objected to the proposed transfer of control, and
- the Western Archeological and Conservation Center may proceed with the agreed upon transfer of control of the culturally unidentifiable human remains to the Hopi Tribe of Arizona.

Transfer of control is contingent on the publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

Determinations Made By the Western Archeological and Conservation Center

Officials of the Western Archeological and Conservation Center have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on osteological analysis and other contextual information.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of, at minimum, 23 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.
- Pursuant to 43 CFR 10.16, the disposition of the human remains will be to the Hopi Tribe of Arizona.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Stephanie Rodeffer, Museum Services Program Manager, Western Archeological and Conservation Center, 255 N. Commerce Park Loop, Tucson, AZ 85745, telephone (520) 791–6401, email *tef_rodeffer@nps.gov*, by July 24, 2014. After that date, if no additional

requestors have come forward, transfer of control of the human remains to the Hopi Tribe of Arizona may proceed.

The Western Archeological and Conservation Center is responsible for notifying The Consulted Tribes and The Invited Tribes that this notice has been published.

Dated: May 28, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14757 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15774; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, El Morro National Monument, Ramah, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Department of the Interior, National Park Service, El Morro National Monument has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and associated funerary objects and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to El Morro National Monument. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to El Morro National Monument at the address in this notice by July 24, 2014.

ADDRESSES: Mitzi Frank, Superintendent, El Morro and El Malpais National Monuments, 123 East Roosevelt Avenue, Grants, NM 87020, telephone (505) 285–4641, *email mitzi_frank@nps.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the U.S. Department of the Interior, National Park Service, El Morro National Monument, Ramah, NM. The human remains and associated funerary objects were removed from El Morro National Monument, Cibola County, NM.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the Superintendent, El Morro National Monument.

Consultation

A detailed assessment of the human remains was made by El Morro National Monument professional staff in consultation with representatives of the Navajo Nation, Arizona, New Mexico & Utah; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico (hereafter referred to as "The Consulted Tribes").

The following tribes were invited to consult but did not participate: Hopi Tribe of Arizona; Kewa Pueblo, New Mexico (previously listed as the Pueblo of Santo Domingo); Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; and Pueblo of Zia, New Mexico (hereafter referred to as "The Invited Tribes").

History and Description of the Remains

In 1954 and 1955, human remains representing, at minimum, 14 individuals were removed from Atsinna Pueblo in Cibola County, NM. The human remains were removed during legally authorized excavations by Richard B. Woodbury under the auspices of the Department of Anthropology, Columbia University, New York, NY. No known individuals were identified. The 16 associated funerary objects are 1 cordage fragment, 1 textile fragment, 1 projectile point, 1 chopper, 1 bag of plaque fragments, 1 wooden pump drill, 2 pieces of worked wood, 1 bivalve shell, 1 prayer stick, 1 ground stone maul, 2 bags of worked turkey bone, 1 bag of unworked turkey bone, 1 canine tooth, and 1 bag of unworked small mammal bone.

In 1961, human remains representing, at minimum, three individuals were removed from Atsinna Pueblo in Cibola County, NM. The legally authorized excavations were conducted by Joel Shiner and Roland Richart of the National Park Service. No known individuals were identified. The eight associated funerary objects are one ground stone abrader, two bags of unworked turkey bone, one ground stone maul, one textile fragment, one twined wicker basket fragment, one fragment of bark matting, and one pinyon nut.

Ceramic and tree-ring evidence indicate that the pueblo was built around A.D. 1275 and was occupied through the mid-1300s. Evidence demonstrating continuity between the people of Atsinna Pueblo from A.D. 1275–1300 and the Pueblo of Acoma, New Mexico, and the Zuni Tribe of the Zuni Reservation, New Mexico, includes similarities in architecture, material culture, mortuary practices, and settlement patterns. Oral histories of both the Pueblo of Acoma and Zuni Tribe support cultural continuity between the Pueblo of Acoma and the Zuni Tribe and the people of Atsinna Pueblo, which is known as Heshoda Yalta in the Zuni Language. For example, many Zuni migration and origin stories recount the journey from their place of emergence, deep within the canyon along the Colorado River, to the Middle Place now known as Zuni Pueblo, with Heshoda Yalta as a stopping point along the way. Pictographs and petroglyphs important to the Zuni tribe and Pueblo of Acoma are found near Atsinna Pueblo. During consultation, both the Zuni Tribe and the Pueblo of Acoma described the historic Zuni Acoma trail, which connects the two present day pueblos and runs through El Morro National Monument, as used for regular foot traffic and an access route to various sacred places. The contemporary significance and continued cultural use of the pictographs, petroglyphs, and trail are further evidence of the continuity between the people of Atsinna Pueblo from A.D. 1275–1300 and the Pueblo of Acoma, New Mexico, and the Zuni Tribe of the Zuni Reservation, New Mexico.

Determinations Made By El Morro National Monument

Officials of El Morro National Monument have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 17 individuals of Native American ancestry.

• Pursuant to 25 U.S.C. 3001(3)(A), the 24 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.

• Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Pueblo of Acoma, New Mexico, and Zuni Tribe of the Zuni Reservation, New Mexico.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Mitzi Frank, Superintendent, El Morro and El Malpais National Monuments, 123 East Roosevelt Avenue, Grants, NM 87020, telephone (505) 285–4641, email *mitzi_frank@nps.gov*, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Pueblo of Acoma, New Mexico, and Zuni Tribe of the Zuni Reservation, New Mexico may proceed.

El Morro National Monument is responsible for notifying The Consulted Tribes and The Invited Tribes that this notice has been published.

Dated: May 7, 2014.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2014–14731 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15899; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Pennsylvania Museum of Archaeology and Anthropology, Philadelphia, PA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The University of Pennsylvania Museum of Archaeology and Anthropology has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the University of Pennsylvania Museum of Archaeology and Anthropology. If no additional requestors come forward, transfer of control of the human remains to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the University of Pennsylvania Museum of Archaeology and Anthropology at the address in this notice by July 24, 2014.

ADDRESSES: Dr. Julian Siggers, University of Pennsylvania Museum of Archaeology and Anthropology, Philadelphia, PA 19014, telephone (215) 898–4050.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the University of Pennsylvania Museum of Archaeology and Anthropology. The human remains were removed from Tranquility, in Fresno County, CA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the University of Pennsylvania Museum of Archaeology and Anthropology professional staff in consultation with representatives of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California. The Picayune Rancheria of Chukchansi Indians of California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California were invited to consult, but did not respond.

History and Description of the Remains

Between May 13 and June 6, 1944, human remains representing, at minimum, five individuals were removed from the Tranquillity site (CA–FRE–48), in Fresno County, CA, by Malcolm Lloyd, Jr. and Dr. Linton Satterthwaite under the auspices of the University of Pennsylvania Museum of Archaeology and Anthropology. The human remains range in age from three or six months to later adulthood. Both males and females are represented. No known individuals were identified. No associated funerary objects are present. The site is a multi-component site that dates from the Early Archaic or Millingstone Period (ca. 6000 B.P.) to the California Early-Middle Horizon (ca. 1500–2500 B.P.) based on museum documentation and published information.

Determinations Made By the University of Pennsylvania Museum of Archaeology and Anthropology

Officials of the University of Pennsylvania Museum of Archaeology and Anthropology have determined that:

• Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on their examination by a physical anthropologist, their recovery from a known archeological site, museum documents and published records, and associated radiocarbon dates.

• Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of five individuals of Native American ancestry.

• Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.

• Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains were removed is the aboriginal land of the Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California

• Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains may be to the Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa

Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Julian Siggers, Director, University of Pennsylvania Museum of Archaeology and Anthropology, University of Pennsylvania, 3260 South Street, Philadelphia, PA 19104, telephone (215) 898–4050, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California may proceed.

The University of Pennsylvania Museum of Archaeology and Anthropology is responsible for notifying the Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California that this notice has been published.

Dated: May 27, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14756 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15714; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Denver Museum of Nature & Science, Denver, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Denver Museum of Nature & Science has completed an inventory of human remains and associated funerary object, in consultation with Indian tribes and Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and associated funerary object and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary object should submit a written request to the Denver Museum of Nature & Science. If no additional requestors come forward, transfer of control of the human remains and associated funerary object to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Denver Museum of Nature & Science at the address in this notice by July 24, 2014.

ADDRESSES: Chip Colwell-Chanthaphonh, Denver Museum of Nature and Science, 2001 Colorado Blvd., Denver, CO 80205–5798, telephone (303) 370–6367, email *chip.c-c@dmns.org*.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary object under the control of the Denver Museum of Nature & Science (DMNS). The human remains and associated funerary object were removed from unknown locations.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary object. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains and associated funerary object was first made by the DMNS professional staff in consultation with representatives of the Cayuga Nation; Central Council of the Tlingit & Haida Indian Tribes; Onondaga Nation; Pueblo of Acoma, New Mexico; Saint Regis Mohawk Tribe (previously the St. Regis Band of Mohawk Indians of New York); Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Seneca Nation of Indians (previously listed as the Seneca Nation of New York); The Osage Nation (previously listed as the Osage Tribe); Tonawanda Band of Seneca (previously listed as the Tonawanda Band of Seneca Indians of New York); Tuscarora Nation; and Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah, during a February 26, 2013 meeting. Others who expressed interest in assisting but were unable to attend this meeting were the Caddo Nation of Oklahoma; Ho-Chunk Nation of Wisconsin; and Hui Malama I Na Kupuna 'O Hawaii Nei. The intent was to have a broad range of geographic locations represented.

On April 15, 2013, letters were mailed to all tribes listed as Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs (77 FR 47868–47873, August 10, 2012) (hereafter referred to as "The Notified Indian Tribes"). In addition, letters were sent to Native Hawaiian organizations, including Aha Kane; Aha Moku O Kahikinui; Aha Moku o Maui Inc.; Aha Wahine; 'Ahahui Siwila Hawai'i O Kapōlei; Ahupua'a o Moloka'i; Aloha First; Association of Hawaiian Civic Clubs; Association of Hawaiians for Homestead Lands; Au Puni O Hawaii; Brian Kaniela Nae'ole Naauao; Charles Pelenui Mahi Ohana; Council for Native Hawaiian Advancement; Four Points Global Services, Corp.; Friends of 'Iolani Palace; Friends of Moku'ula, Inc.; George K. Cypher 'Ohana; God's Country Waimanalo; Hau'ouiwi Homestead Association on Lāna'i; Hawai'i Maoli; Hawaii Island Burial Council; Hawaiian Civic Club of Hilo; Ho Ohana; Ho'okano Family Land Trust; Hui Ho'oniho; Hui Huliau; Hui Kāko'o 'Āina Ho'opulapula; Hui Kaleleiki Ohana; Hui Malama I Na Kupuna 'O Hawaii Nei; Kāko'o 'Ōiwi; Kalaeloa Heritage and Legacy Foundation; Kalama'ula Mauka Homestead Association; Kamealoha; Kamehameha Schools—Community Relations and Communications Group, Government Relations; Kamiloloa One Alii Homestead Association; Kanu o ka 'Āina Learning 'Ohana; Kapolei Community Development Corporation; Kauai/Niihau Island Burial Council; Kawaihapai Ohana; Keoni Kealoha Alvarez; Ko'olau Foundation; Ko'olaupoko Hawaiian Civic Club; La'i 'Ōpua 2020; Lahui Kaka'ikahi; Ma'a 'Ohana; Machado-Akana-Aona-

Namakaeha Ohana; Mahu Ohana; Makaha Hawaiian Civic Club; Maku'u Farmers Association; Malu'ōhai Residents Association; Maui/Lani Island Burial Council; Meleana Kawaiaea, LLC; Moku o Kaupo; Molokai Island Burial Council; Na Aikane O Maui; Na Ku'auhau 'o Kahiwakaneikopolei; Na Ohana o Puaoi a me Hanawahine; Nanakuli Housing Corporation; Native Hawaiian Church; Native Hawaiian Economic Alliance; Native Hawaiian Education Council; Nekaifes Ohana; O'ahu Burial Council; Office of Hawaiian Affairs; Pacific American Foundation; Pacific Justice & Reconciliation Center; Papa Ola Lokahi; Papakōlea Community Development Corporation; Paukukalo Hawaiian Homes Community Association; Peahi Ohana; Piihonua Hawaiian Homestead Community Association; Royal Hawaiian Academy of Traditional Arts; The Friends of Hokule'a and Hawai'iloa; The I Mua Group; Wai'anae Hawaiian Civic Club; Waiehu Kou Phase 3 Association; and Waimānalo Hawaiian Homes Association (hereafter referred to as "The Notified Native Hawaiian organizations"). Enclosed with each of the letters was a disposition request and statement of support for disposition as well as an invitation to participate in a meeting scheduled for October 9, 2013.

On October 9, 2013, the Bishop Paiute Tribe (previously listed as the Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California); Cayuga Nation; Central Council of the Tlingit & Haida Indian Tribes; Death Valley Timbi-sha Shoshone Tribe (previously listed as the Death Valley Timbi-Sha Shoshone Band of California); Delaware Nation, Oklahoma; Delaware Tribe of Indians; Hui Kaleleiki Ohana; Hui Ho'oniho; Hui Malama I Na Kupuna 'O Hawaii Nei; Mashpee Wampanoag Tribe (previously listed as the Mashpee Wampanoag Indian Tribal Council, Inc.); Mohegan Indian Tribe of Connecticut; Morongo Band of Mission Indians, California (previously listed as the Morongo Band of Cahuilla Mission Indians of the Morongo Reservation); Nondalton Village; Onondaga Nation; Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)); Pueblo of Acoma, New Mexico; Saint Regis Mohawk Tribe (previously the St. Regis Band of Mohawk Indians of New York); Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Seneca Nation of Indians (previously listed as the Seneca Nation of New York); Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Susanville Indian Rancheria, California; The Osage Nation (previously listed as the Osage Tribe); Tonawanda Band of Seneca (previously listed as the Tonawanda Band of Seneca Indians of New York); Tuscarora Nation; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah, consulted with the DMNS during an all-day meeting. Several other tribes initiated brief telephone consultations with the DMNS.

DMNS received requests for joint transfer of control of the human remains to the Aloha First; Arapaho Tribe of the Wind River Reservation, Wyoming; Blue Lake Rancheria, California; California Valley Miwok Tribe, California; Central Council of the Tlingit & Haida Indian Tribes; Cocopah Tribe of Arizona; Comanche Nation, Oklahoma; Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon); Crow Tribe of Montana; Eastern Band of Cherokee Indians; Elk Valley Rancheria, California; Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; Hopi Tribe of Arizona; Hui Ho'oniho; Hui Kaleleiki Ohana; Hui Malama I Na Kupuna 'O Hawaii Nei; Iowa Tribe of Kansas and Nebraska; Kokhanok Village; Koyukuk Native Village; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Little River Band of Ottawa Indians, Michigan; Mahu Ohana; Makaha Hawaiian Civic Club; Malu'ōhai Residents Association; Mashpee Wampanoag Tribe (previously listed as the Mashpee Wampanoag Indian Tribal Council, Inc.); Mentasta Traditional Council; Mohegan Indian Tribe of Connecticut; Native Village of Port Graham; Native Village of Shaktoolik; Northfork Rancheria of Mono Indians of California; Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)); Papa Ola Lokahi; Paukukalo Hawaiian Homes Community Association; Pueblo of Isleta, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Santa Ana, New Mexico; Qagan Tayagungin Tribe of Sand Point Village; Royal Hawaiian Academy of Traditional Arts; Saginaw Chippewa Indian Tribe of Michigan; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Skull Valley Band of Goshute Indians of Utah; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Tohono O'Odham Nation of Arizona; Tonawanda Band of Seneca (previously listed as the Tonawanda Band of Seneca Indians of New York); Tonkawa Tribe of Indians of Oklahoma; Tonto Apache Tribe of Arizona; Tuscarora Nation; United Keetoowah Band of Cherokee Indians in Oklahoma; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Village of Stony River; and Winnebago Tribe of Nebraska (hereafter referred to as "The Requesting Indian Tribes" and "The Requesting Native Hawaiian organizations"). DMNS received a request for transfer of control of the associated funerary object to the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah.

Statements of support for the proposed transfer of control have been received from the Bishop Paiute Tribe (previously listed as the Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California); Bois Forte Band (Nett Lake) of the Minnesota Chippewa Tribe, Minnesota; Cher-Ae Heights Indian Community of the Trinidad Rancheria, California; Cowlitz Indian Tribe; Delaware Nation, Oklahoma; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Ho-Chunk Nation of Wisconsin; Jamestown S'Kallam Tribe; Jena Band of Choctaw Indians; Mashantucket Pequot Indian Tribe (previously listed as the Mashantucket Pequot Tribe of Connecticut); Mechoopda Indian Tribe of Chico Rancheria, California; Native Village of Chenega (aka Chanega); Native Village of Eyak (Cordova); Native Village of Tatitlek; Pala Band of Luiseno Mission Indians of the Pala Reservation, California; Samish Indian Nation (previously listed as the Samish Indian Tribe, Washington); Santa Rosa Band of Cahuilla Indians, California (previously listed as the Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation); Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California; Scotts Valley Band of Pomo Indians of California; Sherwood Valley Rancheria of Pomo Indians of California; Southern Ute Indian Tribe of the Southern Ute

Reservation, Colorado; Standing Rock Sioux Tribe of North & South Dakota; Swinomish Indian Tribal Community (previously listed as the Swinomish Indians of the Swinomish Reservation of Washington); Wiyot Tribe, California (previously listed as the Table Bluff Reservation—Wiyot Tribe); Wrangell Cooperative Association; and Yupiit of Andreafski.

There are no objections by The Notified Indian Tribes or The Notified Native Hawaiian organizations to the proposed transfer of control of the human remains. There are no objections by The Notified Indian Tribes or The Notified Native Hawaiian organizations to the proposed transfer of control of the associated funerary object.

History and Description of the Remains

On an unknown date, human remains representing, at minimum, three individuals (A144.1, A145.1, A147.1) were removed from an unknown location. In 1946, the human remains were anonymously donated to the DMNS. No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, three individuals (A1515.1, A1515.2, A1515.3) were removed from an unknown location. In 1988, they were anonymously donated to the DMNS. No known individuals were identified. The one associated funerary object is a wild turkey bone (A1515.5).

On an unknown date, human remains representing, at minimum, five individuals (A1987.1, A1987.2, A1987.3, A1997.1, A1998.1) were removed from an unknown location. In 1994, the human remains were inventoried for the first time in the DMNS Anthropology Department collections and were assigned accession numbers. No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, three individuals (A1988.2, A1988.3, and A1988.4) were removed from an unknown location. In 1994, the human remains were inventoried for the first time in the DMNS Anthropology Department collections and were assigned accession numbers. They were transferred to the Anthropology Department from the DMNS Education Collection. No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, one individual (E–783 through E–791) were removed from an unknown location. In 1980, the Gates Medical Clinic donated the human remains to the DMNS Education Collection, which later transferred them to the DMNS Anthropology Department. No known individuals were identified. No associated funerary objects are present.

Determinations Made By the Denver Museum of Nature & Science

Officials of the DMNS have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based the morphological evidence, institutional history, and oral tradition.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 15 individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the one object described in this notice is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and associated funerary object and any present-day Indian tribe.
- Pursuant to 43 CFR 10.16, the disposition of the human remains will be to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations.
- Pursuant to 43 CFR 10.16, the disposition of the associated funerary object will be to the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah.

NAGPRA Review Committee Actions

Pursuant to 43 CFR 10.16, the Secretary of the Interior may make a recommendation for the transfer of control of culturally unidentifiable human remains. In April 2014, the DMNS requested that the Secretary, through the NAGPRA Review Committee, recommend the proposed transfer of control of the culturally unidentifiable Native American human remains in this notice to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations. The Requesting Indian Tribes and The Requesting Native Hawaiian organizations jointly requested transfer of control of the human remains. The Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah requested transfer of control of the associated funerary object.

The Review Committee, acting pursuant to its responsibility under 25 U.S.C. 3006(c)(5), considered the request at its April 10, 2014 meeting and recommended to the Secretary that the proposed transfer of control proceed. A May 5, 2014, letter on behalf of the Secretary of Interior from the Designated Federal Official transmitted the Secretary's independent review and concurrence with the Review Committee that:

- The DMNS consulted with appropriate Indian tribes and Native Hawaiian organizations,
- none of The Notified Indian Tribes or The Notified Native Hawaiian organizations objected to the proposed transfer of control, and
- the DMNS may proceed with the agreed upon transfer of control of the culturally unidentifiable human remains to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations
- the DMNS may proceed with the agreed upon transfer of control of the associated funerary object to the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah.

Transfer of control is contingent on the publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary object should submit a written request with information in support of the request to Chip Colwell-Chanthaphonh, Denver Museum of Nature and Science, 2001 Colorado Blvd., Denver CO 80205–5798, telephone (303) 370–6367, email *chip.c-c@dmns.org*, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations may proceed, and transfer of control of the associated funerary object to the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah may proceed.

The DMNS is responsible for notifying The Notified Indian Tribes and The Notified Native Hawaiian organizations that this notice has been published.

Dated: May 5, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14736 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15768; PPWOCRADN0–PCU00RP14.R50000]

Notice of Completion of Inventory of Native American Human Remains From the Hawaiian Islands in the Collections of the Peabody Museum of Natural History, Yale University; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

SUMMARY: The Peabody Museum of Natural History has corrected an inventory of human remains published in a Notice of Inventory Completion in the **Federal Register** on February 25, 1994. This notice corrects the minimum number of individuals. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Peabody Museum of Natural History. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Peabody Museum of Natural History at the address in this notice by July 24, 2014.

ADDRESSES: Professor Derek E.G. Briggs, Director, Yale Peabody Museum of Natural History, P.O. Box 208118, New Haven, CT 06520–8118, telephone (203) 432–3752.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the correction of an inventory of human remains under the control of the Peabody Museum of Natural History, New Haven, CT. The human remains were removed from the Hawaiian Islands.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

This notice corrects the minimum number of individuals published in a Notice of Inventory Completion in the **Federal Register** (59 FR 9248–9249, February 25, 1994). Subsequent inventories identified additional human remains originating from the Hawaiian Islands. Transfer of control of the items in this correction notice has not occurred.

Correction

In the **Federal Register** (59 FR 9248–9249, February 25, 1994), paragraph four, sentence two is corrected by substituting the following sentence:

The 1872 accession consists of eleven skulls, one nearly complete skeleton, and one calotte described in fifteen catalogue entries and is identified in the accession ledger as having been collected by George H. Dole.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Professor Derek E.G. Briggs, Director, Yale Peabody Museum of Natural History, P.O. Box 208118, New Haven, CT 06520–8118, telephone (203) 432–3752, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to Hui Malama I Na Kupuna 'O Hawai'I Nei and the Office of Hawaiian Affairs may proceed.

The Peabody Museum of Natural History is responsible for notifying the Native Hawaiian organizations that this notice has been published.

Dated: May 7, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14732 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15831; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Denver Museum of Anthropology, Denver, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The University of Denver Museum of Anthropology has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the University of Denver Museum of Anthropology. If no additional requestors come forward, transfer of control of the human remains to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the University of Denver Museum of Anthropology at the address in this notice by July 24, 2014.

ADDRESSES: Anne Amati, University of Denver Museum of Anthropology, 2000 East Asbury Avenue, Denver, CO 80208, telephone (303) 871–2687, email *anne.amati@du.edu*.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the University of Denver Museum of Anthropology, Denver, CO. Based on information possessed by the University of Denver Museum of Anthropology, the geographical affiliation of the human remains is identified as the Turkey Creek Crevice Burial (5PE4277), Pueblo County, CO.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the University of Denver Museum of Anthropology professional staff in consultation with representatives of Arapaho Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the

Cheyenne-Arapaho Tribes of Oklahoma); Comanche Nation, Oklahoma; Crow Tribe of Montana; Ely Shoshone Tribe of Nevada; Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; Fort Sill Apache Tribe of Oklahoma; Keweenaw Bay Indian Community, Michigan; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada; Pawnee Nation of Oklahoma; Pueblo of San Felipe, New Mexico; Pueblo of Santa Clara, New Mexico; Santee Sioux Nation, Nebraska; Shoshone-Bannock Tribes of the Fort Hall Reservation; Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada; Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; and Yankton Sioux Tribe of South Dakota (hereafter referred to as "The Consulting Tribes").

History and Description of the Remains

In 1968, human remains representing, at minimum, one individual were removed from the Turkey Creek Crevice Burial (5PE4277) in Pueblo County, CO. On February 1, 1968, Paul Stewart and Lawrence Parsons found the remains weathering out of a cliff crevice. Mr. Stewart and Mr. Parsons were in the Turkey Creek area of Pueblo Reservoir making field investigations for the Bureau of Reclamation's Fryingpan-Arkansas Project. The Project office notified the archeologist who had made the survey of Pueblo Reservoir, Dr. Arnold Withers of the University of Denver. Several months passed before Dr. Withers visited the site and by then it had been vandalized. The burial was photographed and a memo written about it by employees of the Bureau of Reclamation. The burial contained an adult, flexed, head to the southeast, probably with knees partly under the body. Sex was not determined. Traces of ash and charcoal possibly indicate the individual was partly cremated. The remains were said to have a greenish cast. The memo stated that "part of the skeleton, including half the skull was later recovered and sent to the University of Denver." No known individuals were identified. No associated funerary objects are present.

In 1998, human remains (DU#1987.1.1) were found in collections at the University of Denver Museum of Anthropology during an inventory of the Fryingpan-Arkansas Archeological collection. The remains, approximately 37 fragments of cranium, were found in a box labeled "Turkey Creek." Approximately half of the fragments show signs of burning. The remains were of an adult and have a very faint green hue. The University of Denver Museum of Anthropology has determined that the remains found in collection (1987.1.1) were removed from the Turkey Creek Crevice Burial (5PE4277).

The Bureau of Reclamation does not believe that the geographical affiliation of the human remains found in the collection at the University of Denver Museum of Anthropology (1987.1.1) can be identified as the Turkey Creek Crevice Burial (5PE4277). Consequently, the Bureau of Reclamation and the University of Denver Museum of Anthropology have agreed that the University of Denver Museum of Anthropology shall proceed with NAGPRA compliance activities with respect to these human remains.

Determinations Made By the University of Denver Museum of Anthropology

Officials of the University of Denver Museum of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on the flexing and location of the burial.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.
- According to final judgments of the Indian Claims Commission or the Court of Federal Claims, the land from which the Native American human remains were removed is the aboriginal land of Arapaho Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); and Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana.
- Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains were removed is the aboriginal land of Arapaho Tribe of the Wind River Reservation, Wyoming; and Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma).
- Other credible lines of evidence from authoritative Governmental sources, including information gathered during consultation, indicate that the land from which the Native American human remains were removed is the aboriginal land of Apache Tribe of Oklahoma; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Comanche Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Crow Tribe of Montana; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Oglala Sioux Tribe (previously listed as the Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pawnee Nation of Oklahoma; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Santa Clara, New Mexico; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Shoshone Tribe of the Wind River Reservation, Wyoming; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Standing Rock Sioux Tribe of North and South Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma; and Zuni Tribe of the Zuni Reservation, New Mexico.
- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains may be to Apache Tribe of Oklahoma; Arapaho Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Comanche Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Crow Tribe of Montana; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Oglala Sioux Tribe (previously listed as the Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pawnee Nation of Oklahoma; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Santa Clara, New

Mexico; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Shoshone Tribe of the Wind River Reservation, Wyoming; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Standing Rock Sioux Tribe of North and South Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma; and Zuni Tribe of the Zuni Reservation, New Mexico.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Anne Amati, University of Denver Museum of Anthropology, 2000 E. Asbury Avenue, Denver, CO 80208, telephone (303) 871–2687, email *anne.amati@du.edu,* by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to Apache Tribe of Oklahoma; Arapaho Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma (previously listed as the Cheyenne-Arapaho Tribes of Oklahoma); Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Comanche Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Crow Tribe of Montana; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Oglala Sioux Tribe (previously listed as the Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pawnee Nation of Oklahoma; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Santa Clara, New Mexico; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Shoshone Tribe of the Wind River Reservation, Wyoming; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Standing Rock Sioux Tribe of North and South Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma; and Zuni Tribe of the Zuni Reservation, New Mexico, may proceed.

The University of Denver Museum of Anthropology is responsible for notifying The Consulting Tribes that this notice has been published.

Dated: May 15, 2014.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2014–14725 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15707; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Alutiiq Museum and Archaeological Repository, Kodiak, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Alutiiq Museum and Archaeological Repository has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Alutiiq Museum and Archaeological Repository. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Alutiiq Museum and Archaeological Repository at the address in this notice by July 24, 2014.

ADDRESSES: Dr. Alisha Drabek, Executive Director, Alutiiq Museum and Archaeological Repository, 215 Mission Road, Suite 101, Kodiak, AK 99615, telephone (907) 486–7004.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Alutiiq Museum and Archaeological Repository, Kodiak, AK. The human remains were removed from the northern half of the Kodiak Archipelago, AK.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the Alutiiq Museum and Archaeological Repository professional staff in consultation with representatives of the Native Village of Afognak, Native Village of Ouzinkie, Native Village of Port Lions, the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak), and the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)).

History and Description of the Remains

At an unknown date in the 1970s, human remains representing, at minimum, one individual were removed from the northern half of the Kodiak Archipelago, AK. The human remains were removed by a researcher who participated in excavations in the 1970s in the Kodiak Archipelago, including Afognak Island and Uganik Bay. Ms. Judith Grossman of Cambridge, MA, sent the human remains to the Alutiiq Museum on September 12, 2011, to keep the identity of the original collector anonymous. The human remains include a human cranium wrapped in a modern sea otter skin and represent an adult of possibly prehistoric age. No known individuals were identified. No associated funerary objects are present.

An examination of the human remains shows humic staining on the bones and worn dentition with no evidence of modern dentistry. Archeological data indicate that modern Alutiiqs evolved from societies of the Kodiak region, and can trace their ancestry back over 7,500 years in the region. The human remains are most closely affiliated with the modern Kodiak Alutiiq people, represented today by the Native Village of Afognak, Native Village of Ouzinkie, Native Village of Port Lions, the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak), and the

Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)).

Determinations Made By the Alutiiq Museum and Archaeological Repository

Officials of the Alutiiq Museum and Archaeological Repository have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Native Village of Afognak, Native Village of Ouzinkie, Native Village of Port Lions, the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak), and the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)).

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Alisha Drabek, Executive Director, Alutiiq Museum and Archaeological Repository, 215 Mission Road, Suite 101, Kodiak, AK 99615, telephone (907) 486–7004, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Native Village of Afognak, Native Village of Ouzinkie, Native Village of Port Lions, the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak), and the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) may proceed.

The Alutiiq Museum and Archaeological Repository is responsible for notifying the Native Village of Afognak, Native Village of Ouzinkie, Native Village of Port Lions, the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak), and the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) that this notice has been published.

Dated: April 30, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14752 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15827; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Oregon State University, Department of Anthropology, Corvallis, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Oregon State University Department of Anthropology has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Oregon State University Department of Anthropology. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Oregon State University Department of Anthropology at the address in this notice by July 24, 2014.

ADDRESSES: Dr. Dave Brauner, Oregon State University, Department of Anthropology, 238 Waldo Hall, Corvallis, OR 97333, telephone (541) 737–3850.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Oregon State University Department of Anthropology, Corvallis, OR. The human remains were removed from Casey, Christian, and Scott Counties, KY.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the Oregon State University Department of Anthropology professional staff in consultation with representatives of the Shawnee Tribe and United Keetoowah Band of Cherokee Indians in Oklahoma. The Miami Tribe of Oklahoma has been contacted, but has deferred to the tribes in this notice.

History and Description of the Remains

Between 1930 and 1971, human remains representing, at minimum, five individuals were removed from the Dulins Creek site (Ch 19), in Christian County, KY, by Georg Karl Neumann, a physical anthropologist working out of Indiana University, Bloomington. In 1976, the Oregon State University's Department of Anthropology acquired the Neumann Collection from Georg Neumann's son. These individuals are labeled with the identification of "Ch." No known individuals were identified. No associated funerary objects are present.

Dr. Neumann and a doctoral student, Louise Robbins, collected human remains from several archeological sites during their research projects with a focus on archeological mound sites, skeletal characteristics of Native American races, and general human physical variation and skeletal morphology. The culmination of this research is published as "Archaeology and Race in the American Indian," in the 1952 Yearbook of Physical Anthropology, Vol. 8, and in Louise Robbins' doctoral dissertation, "The Identification of the Prehistoric Shawnee Indians: The Description of the Populations of the Fort Ancient Aspect" (Indiana University, 1968). Collection records accompanying the human remains document Dr. Neumann's work with survey archeologists in Kentucky, Ohio, and Tennessee. The records state that Dr. Neumann was collecting human remains in Christian County, western Kentucky, and in the Cumberland River Basin. Neumann's site documents include records for burial sites along Dulins Creek (Ch 19) in Kentucky.

Between 1930 and 1971, human remains representing, at minimum, eight individuals were removed from an unknown site in Casey County, KY, by Dr. Neumann. In 1976, the Oregon State University Department of Anthropology

acquired the Neumann Collection from Georg Neumann's son. These individuals are labeled with the identification of "CS." Representatives of the Kentucky Archaeological Survey confirm that "CS" is the Smithsonian county abbreviation for Casey County. No known individuals were identified. No associated funerary objects are present.

The human remains are reasonably believed to be from the above described research projects of Dr. Neumann and Louise Robbins. In addition to the published research described above, the records also include notes for a talk on Native American archeological periods in Kentucky. The notes list specific culture periods found in "Western Kentucky, headwaters of the Green River and Eastern Mountains area" (Robbins 1971), one of which is the Fort Ancient culture period. The headwaters of the Green River flow through Casey County, KY.

Between 1930 and 1971, human remains representing, at minimum, one individual were removed from an unknown site in Scott County, KY, by Dr. Neumann. In 1976, the Oregon State University Department of Anthropology acquired the Neumann Collection from Georg Neumann's son. These individuals are labeled with the identification of "SC." Neumann consistently labeled human remains with Smithsonian trinomial abbreviations; representatives of the Kentucky Archaeological Survey confirm that Scott County is abbreviated as "SC." No known individual was identified. No associated funerary objects are present.

Representatives of the Kentucky Archaeological Survey confirm that mound sites are common along rivers in Kentucky, including Fort Ancient culture period mounds that Neumann was known to excavate. Louise Robbins' doctoral dissertation (Robbins 1968) includes a map of the distribution of the Madisonville Focus of the Fort Ancient archeological cultural assemblage, and this area includes Scott County, KY. Robbins' dissertation further explains the relationship between Neumann and the Fort Ancient assemblage excavations, placing Neumann at the excavations with the primary responsibility for the human remains data.

It is reasonably believed the individuals in this notice are all from the Fort Ancient culture period (circa 1100 to 1650 A.D.). The three Federally recognized Shawnee tribes—the Absentee-Shawnee Tribe of Indians of Oklahoma, the Eastern Shawnee Tribe of Oklahoma, and the Shawnee Tribe—were originally united as one Shawnee Nation, consisting of nomadic groups that traveled the area east of the Mississippi, including the area now known as Kentucky, before and during the initial period of contact. The Treaty of Holston in 1791 between the Cherokee Nation and the United States Government states that the territory they would restrict themselves to was bordered by the top of Cumberland Mountain "thence in a direct line to the Cumberland river . . . thence down the Cumberland river to a point from which a south west line will strike the ridge which divides waters of Cumberland from those of Duck river . . ."; thus indicating the Cherokee presence in the areas of Kentucky from which Neumann excavated these Fort Ancient individuals. Today, the Cherokee are represented by the Cherokee Nation; Eastern Band of Cherokee Indians; and United Keetoowah Band of Cherokee Indians in Oklahoma

Determinations Made By the Oregon State University Department of Anthropology

Officials of the Oregon State University, Department of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 14 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Shawnee Tribe; and United Keetoowah Band of Cherokee Indians in Oklahoma.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Dave Brauner, Oregon State University, Department of Anthropology, 238 Waldo Hall, Corvallis, OR 97333, telephone (541) 737–3850, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Shawnee Tribe; and United Keetoowah Band of Cherokee Indians in Oklahoma may proceed.

The Oregon State University Department of Anthropology is responsible for notifying the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; Shawnee Tribe; and United Keetoowah Band of Cherokee Indians in Oklahoma that this notice has been published.

Dated: May 15, 2014.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2014–14742 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15767; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Glenn A. Black Laboratory of Archaeology at Indiana University, Bloomington, IN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Glenn A. Black Laboratory of Archaeology at Indiana University has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Indiana University NAGPRA Office. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Indiana University NAGPRA Office at the address in this notice by July 24, 2014.

ADDRESSES: Jayne-Leigh Thomas, Indiana University, NAGPRA Office, Student Building 318, 701 E. Kirkwood

Ave., Bloomington, IN 47405, telephone (812) 856–5315, email *thomajay@indiana.edu*.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Glenn A. Black Laboratory of Archaeology at Indiana University, Bloomington, IN. The human remains were removed from Maricopa County, AZ.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by Indiana University professional staff in consultation with representatives of the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Cocopah Tribe of Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Quechan Tribe of the Fort Yuma Indian Reservation, California and Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tohono O'odham Nation of Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Yavapai-Prescott Indian Tribe (previously listed as the Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona); and the Zuni Tribe of the Zuni Reservation, New Mexico.

History and Description of the Remains

During the 1940s–1960s, human remains representing, at minimum, one individual were removed from an unknown site along the Verde River near Horseshoe Dam in Maricopa County, AZ, by an unknown collector. The remains were sold by the collector's widow to a private purchaser in 2013. The Indiana University NAGPRA Office was contacted regarding these remains, which were donated to the Glenn A. Black Laboratory of Archaeology in November 2013. The collection has been identified as the partial remains of a single child, aged 4–5 years. The human remains consist of a skull and mandible. No known individuals were identified. No associated funerary objects are present.

Notes included with the collection indicated that the remains were discovered along the Verde River just below Horseshoe Dam, dating to 1200–1400 A.D. and possibly being from the Salado culture. This time period also falls within the Hohokam culture in the Southwest, which dates from 300 to 1450 A.D. Archeological evidence and oral traditions have demonstrated a strong relationship of shared group identity that can be reasonably traced between the Salado and Hohokam cultures and the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and the Tohono O'odham Nation of Arizona. These four Indian tribes are one cultural group known as the O'odham. In 1990, the four O'odham Indian tribes issued a joint statement claiming cultural affiliation to the Salado and Hohokam archeological cultures, as well as to all others present in their aboriginal claims area in what is known today as Arizona and Mexico.

A relationship of shared group identity can also reasonably be traced between Hohokam culture and the Hopi Tribe of Arizona and the Zuni Tribe of the Zuni Reservation, New Mexico. Based on O'odham oral tradition, some of the people occupying the Hohokam area migrated north and joined the Zuni and Hopi. Pursuant to the Hopi Tribal Council Resolution H–70–94, the Hopi claim cultural affiliation with earlier cultural groups in Arizona including the Hohokam. In 2006, official representatives of the Hopi Tribe restated Hopi's shared group identity with Hohokam culture based on oral tradition, traditional geography, archaeological evidence, and on-going cultural traditions. In 1995, the Zuni Tribe issued a "Statement of Cultural Affiliation with Prehistoric and Historic Cultures," in which a relationship of shared group identity with Hohokam culture based on oral traditions and archaeological evidence. Cultural affiliation to collections associated with the Hohokam and Salado archaeological cultures was also formalized in the official Zuni "Policy Statement Regarding the Protection and Treatment of Human Remains and Associated Funerary Objects."

Determinations Made By Indiana University

Officials of the Glenn A. Black Laboratory of Archaeology at Indiana University have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona, and the Zuni Tribe of the Zuni Reservation, New Mexico.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Jayne-Leigh Thomas, Indiana University, NAGPRA Office, Student Building 318, 701 E. Kirkwood Ave., Bloomington, IN 47405, telephone (812) 856–5315, email *thomajay@indiana.edu,* by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona, and the Zuni Tribe of the Zuni Reservation, New Mexico may proceed.

Indiana University is responsible for notifying the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Cocopah Tribe of Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Quechan Tribe of the Fort Yuma Indian Reservation, California and Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tohono O'odham Nation of Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation,

Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Yavapai-Prescott Indian Tribe (previously listed as the Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona); and the Zuni Tribe of the Zuni Reservation, New Mexico, that this notice has been published.

Dated: May 7, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14728 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15715; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Denver Museum of Nature & Science, Denver, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Denver Museum of Nature & Science has completed an inventory of human remains, in consultation with Indian tribes and Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Denver Museum of Nature & Science. If no additional requestors come forward, transfer of control of the human remains to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Denver Museum of Nature & Science at the address in this notice by July 24, 2014.

ADDRESSES: Chip Colwell-Chanthaphonh, Denver Museum of Nature and Science, 2001 Colorado Blvd., Denver, CO 80205–5798, telephone (303) 370–6367, email *chip.c-c@dmns.org.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Denver Museum of Nature & Science (DMNS). The human remains were removed from unknown locations.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the DMNS professional staff in consultation with representatives of the Bishop Paiute Tribe (previously listed as the Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California); Cayuga Nation; Central Council of the Tlingit & Haida Indian Tribes; Death Valley Timbi-sha Shoshone Tribe (previously listed as the Death Valley Timbi-Sha Shoshone Band of California); Delaware Nation, Oklahoma; Delaware Tribe of Indians; Hui Kaleleiki Ohana; Hui Ho'oniho; Hui Malama I Na Kupuna 'O Hawaii Nei; Mashpee Wampanoag Tribe (previously listed as the Mashpee Wampanoag Indian Tribal Council, Inc.); Mohegan Indian Tribe of Connecticut; Morongo Band of Mission Indians, California (previously listed as the Morongo Band of Cahuilla Mission Indians of the Morongo Reservation); Nondalton Village; Onondaga Nation; Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)); Pueblo of Acoma, New Mexico; Saint Regis Mohawk Tribe (previously the St. Regis Band of Mohawk Indians of New York); Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Seneca Nation of Indians (previously listed as the Seneca Nation of New York); Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Susanville Indian Rancheria, California; The Osage Nation (previously listed as the Osage Tribe); Tonawanda Band of Seneca (previously listed as the Tonawanda Band of Seneca Indians of New York); Tuscarora Nation; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah, on October 9, 2013. Several other tribes initiated brief telephone consultations with the DMNS.

On November 21, 2013, letters were mailed to all tribes listed as Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs (77 FR 47868–47873, August 10, 2012) (hereafter referred to as "The Notified Indian Tribes"). In addition, notification was sent to Native Hawaiian organizations, including Aha Kane; Aha Moku O Kahikinui; Aha Moku o Maui Inc.; Aha Wahine; 'Ahahui Siwila Hawai'i O Kapōlei; Ahupua'a o Moloka'i; Aloha First; Association of Hawaiian Civic Clubs; Association of Hawaiians for Homestead Lands; Au Puni O Hawaii; Brian Kaniela Nae'ole Naauao; Charles Pelenui Mahi Ohana; Council for Native Hawaiian Advancement; Four Points Global Services, Corp.; Friends of 'Iolani Palace; Friends of Moku'ula, Inc.; George K. Cypher 'Ohana; God's Country Waimanalo; Hau'ouiwi Homestead Association on Lāna'i; Hawai'i Maoli; Hawaii Island Burial Council; Hawaiian Civic Club of Hilo; Ho Ohana; Ho'okano Family Land Trust; Hui Ho'oniho; Hui Huliau; Hui Kāko'o 'Āina Ho'opulapula; Hui Kaleleiki Ohana; Hui Malama I Na Kupuna 'O Hawaii Nei; Kāko'o 'Ōiwi; Kalaeloa Heritage and Legacy Foundation; Kalama'ula Mauka Homestead Association; Kamealoha; Kamehameha Schools—Community Relations and Communications Group, Government Relations; Kamiloloa One Alii Homestead Association; Kanu o ka 'Āina Learning 'Ohana; Kapolei Community Development Corporation; Kauai/Niihau Island Burial Council; Kawaihapai Ohana; Keoni Kealoha Alvarez; Ko'olau Foundation; Ko'olaupoko Hawaiian Civic Club; La'i 'Ōpua 2020; Lahui Kaka'ikahi; Ma'a 'Ohana; Machado-Akana-Aona-Namakaeha Ohana; Mahu Ohana; Makaha Hawaiian Civic Club; Maku'u Farmers Association; Malu'ōhai Residents Association; Maui/Lani Island Burial Council; Meleana Kawaiaea, LLC; Moku o Kaupo; Molokai Island Burial Council; Na Aikane O Maui; Na Ku'auhau 'o Kahiwakaneikopolei; Na Ohana o Puaoi a me Hanawahine; Nanakuli Housing Corporation; Native Hawaiian Church; Native Hawaiian Economic Alliance; Native Hawaiian Education Council; Nekaifes Ohana; O'ahu Burial Council; Office of Hawaiian Affairs; Pacific American Foundation; Pacific Justice & Reconciliation Center; Papa Ola Lokahi; Papakōlea Community Development

Corporation; Paukukalo Hawaiian Homes Community Association; Peahi Ohana; Piihonua Hawaiian Homestead Community Association; Royal Hawaiian Academy of Traditional Arts; The Friends of Hokule'a and Hawai'iloa; The I Mua Group; Wai'anae Hawaiian Civic Club; Waiehu Kou Phase 3 Association; and Waimānalo Hawaiian Homes Association (hereafter referred to as "The Notified Native Hawaiian organizations"). Enclosed with each of the letters was a disposition request and statement of support for disposition.

DMNS received requests for joint transfer of control of the human remains to the Bois Forte Band (Nett Lake) of the Minnesota Chippewa Tribe, Minnesota; California Valley Miwok Tribe, California; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon); Crow Tribe of Montana; Death Valley Timbi-sha Shoshone Tribe (previously listed as the Death Valley Timbi-Sha Shoshone Band of California); Delaware Tribe of Indians; Eastern Band of Cherokee Indians; Elk Valley Rancheria, California; Flandreau Santee Sioux Tribe of South Dakota; Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon; Friends of 'Iolani Palace; Ho-Chunk Nation of Wisconsin; Hopi Tribe of Arizona; Hui Ho'oniho; Hui Malama I Na Kupuna 'O Hawaii Nei; Iowa Tribe of Kansas and Nebraska; Keweenaw Bay Indian Community, Michigan; Knik Tribe; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Mahu Ohana; Match-e-be-nash-she-wish Band of Potawatomi Indians of Michigan; Mechoopda Indian Tribe of Chico Rancheria, California; Na Aikane O Maui; Naknek Native Village; Native Hawaiian Education Council; Native Village of Afognak; Native Village of Barrow Inupiat Traditional Government; Native Village of Kivalina; Native Village of Tanacross; Noorvik Native Community; Northway Village; Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)); Paukukalo Hawaiian Homes Community Association; Petersburg Indian Association; Pueblo of Acoma, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of Santa Ana, New Mexico; Qagan Tayagungin Tribe of Sand Point Village; Saginaw Chippewa Indian Tribe of Michigan; Santa Rosa Band of Cahuilla Indians, California (previously listed as the Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation); Susanville Indian Rancheria, California; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Tonawanda Band of Seneca (previously listed as the Tonawanda Band of Seneca Indians of New York); Traditional Village of Togiak; Tuscarora Nation; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Village of Stony River; Ysleta Del Sur Pueblo of Texas; and Yupiit of Andreafski (hereafter referred to as "The Requesting Indian Tribes" and "The Requesting Native Hawaiian organizations").

Statements of support for the proposed transfer of control have been received from the Aha Moku o Maui Inc.; Big Sandy Rancheria of Western Mono Indians of California (previously listed as the Big Sandy Rancheria of Mono Indians of California); Blue Lake Rancheria, California; Buena Vista Rancheria of Me-Wuk Indians of California; Chickaloon Native Village; Cowlitz Indian Tribe; Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Jena Band of Choctaw Indians; Kickapoo Tribe of Oklahoma; Leech Lake Band of the Minnesota Chippewa Tribe, Minnesota; Little Traverse Bay Bands of Odawa Indians, Michigan; Mashantucket Pequot Indian Tribe (previously listed as the Mashantucket Pequot Tribe of Connecticut); Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota; Native Village of Chenega (aka Chanega); Native Village of Eyak (Cordova); Native Village of Port Graham; Native Village of Saint Michael; Native Village of Tatitlek; Native Village of Unga; Native Village of White Mountain; Navajo Nation, Arizona, New Mexico & Utah; Nisqually Indian Tribe (previously listed as the Nisqually Indian Tribe of the Nisqually Reservation, Washington); Papa Ola Lokahi; Peoria Tribe of Indians of Oklahoma; Pokagon Band of Potawatomi Indians, Michigan and Indiana; Pribilof Islands Aleut Communities of St. Paul & St. George Islands; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Scotts Valley Band of Pomo Indians of California; Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California; Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak); Tejon Indian Tribe; Tonto Apache Tribe of Arizona; Walker River Paiute Tribe of the Walker River Reservation, Nevada; and Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma.

There are no objections by The Notified Indian Tribes or The Notified Native Hawaiian organizations to the proposed transfer of control of the human remains.

History and Description of the Remains

On an unknown date, human remains representing, at minimum, three individuals (A1121.1A–O and A1121.2A–B, D–I) were removed from an unknown location. In 1980, the human remains were donated to the DMNS by Dr. Bruce Rippeteau, an archeologist who worked in numerous locations throughout the United States, served as State Archaeologist for Colorado (1976–1980, 1983–1984) and South Carolina (1984–2000), taught at the State University of New York at Oneonta, and was the director of the University of South Carolina Institute of Archaeology and Anthropology. He published many books and articles, including *A Colorado Book of the Dead: The Prehistoric Era* (1978). No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, one individual (IL–2007–57.1) were removed from an unknown location. In 2007, the human remains were located in collections storage without having been inventoried. No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, one individual (A1116.1) were removed from an unknown location. In 1980, the human remains were donated to the DMNS by H. Mason Morfit, M.D. The donor used skulls, including this skull, in planning surgical approaches. No known individuals were identified. No associated funerary objects are present.

Determinations Made By the Denver Museum of Nature & Science

Officials of the DMNS have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based the morphological evidence, institutional history, and oral tradition.

• Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 5 individuals of Native American ancestry.

• Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.

• Pursuant to 43 CFR 10.16, the disposition of the human remains will be to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations.

NAGPRA Review Committee Actions

Pursuant to 43 CFR 10.16, the Secretary of the Interior may make a recommendation for the transfer of control of culturally unidentifiable human remains. In April 2014, the DMNS requested that the Secretary, through the NAGPRA Review Committee, recommend the proposed transfer of control of the culturally unidentifiable Native American human remains in this notice to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations. The Requesting Indian Tribes and The Requesting Native Hawaiian organizations jointly requested transfer of control of the human remains.

The Review Committee, acting pursuant to its responsibility under 25 U.S.C. 3006(c)(5), considered the request at its April 10, 2014 meeting and recommended to the Secretary that the proposed transfer of control proceed. A May 5, 2014, letter on behalf of the Secretary of Interior from the Designated Federal Official transmitted the Secretary's independent review and concurrence with the Review Committee that:

• The DMNS consulted with appropriate Indian tribes and Native Hawaiian organizations,

• none of The Notified Indian Tribes or The Notified Native Hawaiian organizations objected to the proposed transfer of control, and

• the DMNS may proceed with the agreed upon transfer of control of the culturally unidentifiable human remains to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations

Transfer of control is contingent on the publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

Additional Requestors and Disposition

Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Chip Colwell-Chanthaphonh, Denver Museum of Nature and Science, 2001 Colorado Blvd., Denver, CO 80205–5798, telephone (303) 370–6367, email *chip.c-c@dmns.org*, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Requesting Indian Tribes and The Requesting Native Hawaiian organizations may proceed.

The DMNS is responsible for notifying The Notified Indian Tribes and The Notified Native Hawaiian organizations that this notice has been published.

Dated: May 5, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14743 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15874; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Denver Museum of Nature & Science, Denver, CO; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

SUMMARY: The Denver Museum of Nature & Science has corrected an inventory of human remains and associated funerary objects, published in two Notices of Inventory Completion in the **Federal Register** on July 22, 2010 and September 14, 2010. This notice corrects the number of associated funerary objects for one site. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these associated funerary objects should submit a written request to the Denver Museum of Nature & Science. If no additional requestors come forward, transfer of control of the associated funerary objects to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these associated funerary objects should submit a written request with information in support of the request to the Denver Museum of Nature & Science at the address in this notice by July 24, 2014.

ADDRESSES: Dr. Chip Colwell-Chanthaphonh, Denver Museum of Nature & Science, 2001 Colorado Blvd., Denver, CO 80205, telephone (303) 370–6378, email *Chip.C-C@dmns.org*.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the correction of an inventory of human remains and associated funerary objects under the control of the Denver Museum of Nature & Science (DMNS). The human remains and associated funerary objects were removed from the Turner-Look Site near Cisco, Grand County, UT.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

This notice corrects the number of associated funerary objects published in Notices of Inventory Completion in the **Federal Register** (75 FR 42770–42771, July 22, 2010 and 75 FR 55823–55824, September 14, 2010). Since the publication of notices, additional associated funerary objects were found to be in the possession of DMNS. Transfer of control of the items in this correction notice has not occurred.

Correction

In the **Federal Register** (75 FR 42770–42771, July 22, 2010), paragraph 5, is corrected by substituting the following paragraph:

In 1938, human remains representing a minimum of five individuals were excavated at the Turner-Look Site near Cisco, Grand County, UT, by Wormington. The human remains were removed during legal excavation on private land. The human remains were accessioned into the museum collection (A533.4A (CUI 28), A533.5C (CUI 29), A533.5B (CUI 30), A533.5A (CUI 31), and A533.6A (CUI 32)). Remains include one child, which was reportedly found with seven associated funerary objects, but only three were collected and in the museum's possession: one small circular slate plaque (A533.4B), one stone metate (A533.7A), and one lot of shell fragments (A533.36). The additional human remains are composed of one infant and three adult males, one with the following associated funerary objects: two lots of pottery sherds (A533.6B, A533.6C), one lot of lithics (A533.6D), and one animal

bone fragment (A533.6D). When excavated these remains were defined within the then incipient culture type "Fremont" although this designation as it was then understood is ambiguous in today's archeological lexicon. No known individuals were identified.

In the **Federal Register** (75 FR 55823–55824, September 14, 2010), paragraph 7, sentence 2 is corrected by substituting the following sentence:

Officials of the Denver Museum of Nature & Science also have determined that, pursuant to 25 U.S.C. 3001(3)(A), the 20 objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these associated funerary objects should submit a written request with information in support of the request to Dr. Chip Colwell-Chanthaphonh, Denver Museum of Nature & Science, 2001 Colorado Blvd., Denver, CO 80205, telephone (303) 370–6378, email *Chip.C-C@dmns.org,* by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the associated funerary objects to the Hopi Tribe of Arizona; Pueblo of Acoma, New Mexico; Pueblo of Zia, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico, may proceed.

The DMNS is responsible for notifying the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Fort Mojave Indian Tribe of Arizona, California & Nevada; Fort Sill Apache Tribe of Oklahoma; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Havasupai Tribe of the Havasupai Reservation, Arizona; Hopi Tribe of Arizona; Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona; Jicarilla Apache Nation, New Mexico; Kewa Pueblo, New Mexico (previously listed as the Pueblo of Santo Domingo); Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Shoshone Tribe of the Wind River Reservation, Wyoming; Shoshone-Bannock Tribes of the Fort Hall Reservation; Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Tohono O'odham Nation of Arizona; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Yavapai-Prescott Indian Tribe (previously listed as the YUavapai-Prescott Tribe of the Yavapai Reservation, Arizona; Ysleta Del Sur Pueblo of Texas; Zuni Tribe of the Zuni Reservation, New Mexico; and the Southern Paiute Consortium, a non-federally recognized Indian group, that this notice has been published.

Dated: May 22, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14755 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15730; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Thomas Burke Memorial Washington State Museum, University of Washington, Seattle, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Thomas Burke Memorial Washington State Museum, University of Washington (Burke Museum), has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Burke Museum. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Burke Museum at the address in this notice by July 24, 2014.

ADDRESSES: Peter Lape, Burke Museum, University of Washington, Box 353010, Seattle, WA 98195–3010, telephone (206) 685–3849, email *plape@uw.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Burke Museum. The human remains were removed from San Juan County, WA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the Burke Museum professional staff in consultation with representatives of the Lummi Tribe of the Lummi Reservation; Samish Indian Nation (previously listed as the Samish Indian Tribe, Washington); and the Swinomish Indian Tribal Community (previously listed as the Swinomish Indians of the Swinomish Reservation, Washington).

History and Description of the Remains

In 1987, human remains representing, at minimum, one individual were removed from the shell midden site 45–SJ–11 on San Juan Island in San Juan County, WA. The human remains were collected by Gary C. Wessen while on contract with the San Juan County Parks Department. The human remains are one human phalanx. No burials were documented at the time of excavation; this phalanx appears to be an isolated find. The human remains were transferred to the Burke Museum and

accessioned in 2005 (Burke Accn. #2005–111). No known individuals were identified. No associated funerary objects are present.

Archeological evidence indicates that the human remains are Native American. The radiocarbon date obtained from the same stratum (Stratum II) as the human remains is 560BP +/− 50 years. The data suggest that use of the site ended shortly before historic times, with no evidence of a historic occupation component (Wessen 1988). Burial of human remains in or in close proximity to a shell midden is consistent with Coast Salish Native American burial practices in the San Juan Islands.

Site 45–SJ–11 is located on the western coast of San Juan Island in an area that is considered part of the Gulf of Georgia Culture Area. Linguistically, Native American speakers of the Northern Straits Salish dialects claim cultural heritage to the San Juan Islands. Historical and anthropological sources (Stein 2000:6; Suttles 1990:456) indicate that the Songees, Saanich, Lummi, and Samish all had winter villages in the southern Gulf and San Juan Islands. Spier (1936) and Swanton (1952: 445) documented that the Swallah's aboriginal territory included San Juan Island; the Swallah later joined the Lummi (Ruby and Brown 1986: 229; Suttles 1990:456). Amoss (1978) and Suttles (1951:14) state that western San Juan Island was the aboriginal territory of the Songish. The Songish are a Canadian First Nations group and do not have standing under NAGPRA. The Lummi were signatories to the 1855 Point Elliot Treaty. Today, the Lummi are represented by the Lummi Tribe of the Lummi Reservation.

Determinations Made By the Burke Museum

Officials of the Burke Museum have determined that:

- Based on archeological evidence, the human remains have been determined to be Native American.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Lummi Tribe of the Lummi Reservation.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human should submit a written request with information in support of the request to Peter Lape, Burke Museum, University of Washington, Box 353010, Seattle, WA 98195–3010, telephone (206) 685–3849, email *plape@uw.edu*, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Lummi Tribe of the Lummi Reservation may proceed.

The Burke Museum is responsible for notifying the Lummi Tribe of the Lummi Reservation; Samish Indian Nation (previously listed as the Samish Indian Tribe, Washington); and the Swinomish Indian Tribal Community (previously listed as the Swinomish Indians of the Swinomish Reservation, Washington) that this notice has been published.

Dated: May 5, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14747 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15722; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Alutiiq Museum and Archaeological Repository, Kodiak, AK and the University of Alaska Museum of the North, Fairbanks, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Alutiiq Museum and Archaeological Repository and the University of Alaska Museum of the North have completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and have determined that there is a cultural affiliation between the human remains and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Alutiiq Museum and Archaeological Repository. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Alutiiq Museum and Archaeological Repository at the address in this notice by July 24, 2014.

ADDRESSES: Dr. Alisha Drabek, Executive Director, Alutiiq Museum and Archaeological Repository, 215 Mission Road, Suite 101, Kodiak, AK 99615, telephone (907) 486–7004.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the physical custody of the Alutiiq Museum and Archaeological Repository, Kodiak, AK, and under the control of the University of Alaska Museum of the North, Fairbanks, AK. The human remains were removed from the Blisky site (49–KOD–00210) on Near Island, AK.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the Alutiiq Museum and Archaeological Repository professional staff in consultation with representatives of the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) and the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak).

History and Description of the Remains

In the spring of 1989, human remains representing, at minimum, one individual were removed from the Blisky site (49–KOD–00210) on Near Island in the northern Kodiak Archipelago by Dr. Richard Knecht during an archeological excavation. The human remains were stored at the Kodiak Area Native Association's Alutiiq Culture Center and, in 1995, the remains were transferred to the Alutiiq Museum and Archaeological Repository. The human remains consist of a humerus bone (accession # AM115). No known individuals were identified. No associated funerary objects are present.

The Blisky site is a prehistoric settlement on Near Island, one of a cluster of small islands that form the

northeastern entrance to Chiniak Bay on northern Kodiak Island. The human remains came from midden deposits, most likely associated with the Koniag or Kachemak tradition. Many archeologists believe that the people of the Kachemak tradition are ancestral to the people of the Koniag tradition, who are in turn ancestral to contemporary Alutiiq people. Specifically, the human remains were removed from an area traditionally used by the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) and the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak) people.

Determinations Made By the Alutiiq Museum and Archaeological Repository and the University of Alaska Museum of the North

Officials of the Alutiiq Museum and Archaeological Repository and the University of Alaska Museum of the North have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) and the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak).

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Alisha Drabek, Executive Director, Alutiiq Museum and Archaeological Repository, 215 Mission Road, Suite 101, Kodiak, AK 99615, telephone (907) 486–7004, by July 24, 2014. After that date, if no additional requestors have come forward, transfer of control of the human remains to the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) and the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak) may proceed.

The Alutiiq Museum and Archaeological Repository is responsible for notifying the Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) and the Sun'aq Tribe of Kodiak (previously listed as the Shoonaq' Tribe of Kodiak) that this notice has been published.

Dated: May 5, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14745 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–SERO–FORA–1579; PPSESEROC3, PMP00UP05.YP0000]

Record of Decision for the General Management Plan, Fort Raleigh National Historic Site, North Carolina

AGENCY: National Park Service, Interior.

ACTION: Notice of Availability.

SUMMARY: Pursuant to 42U.S.C. 4332(2)(C) of the National Environmental Policy Act of 1969, the National Park Service (NPS) announces the availability of the Record of Decision (ROD) for the General Management Plan (GMP) for Fort Raleigh National Historic Site (National Historic Site). On April 25, 2014, the Regional Director, Southeast Region, approved the ROD for the project.

FOR FURTHER INFORMATION CONTACT: Superintendent Barclay Trimble, Fort Raleigh National Historic Site, 1401 National Park Drive, Manteo, NC 27954; telephone (252) 475–9030.

SUPPLEMENTARY INFORMATION: The NPS evaluated three alternatives for managing use and development of the National Historic Site in the GMP Final Environmental Impact Statement

Alternative A—no action.

Alternative B—The National Historic Site would greatly expand the scope of its partnerships through greater partner involvement in interpretation of the Roanoke Voyages. NPS staff would interpret other national historic site stories.

Alternative C—The preferred alternative, would implement Section 3 of Public Law 101–603, November 16, 1990 by increasing emphasis on research related to parkwide interpretive themes and legislative mandates. The National Historic Site would continue its partnership with the First Colony Foundation, establish partnerships with organizations that focus on natural and cultural resource topics, and include archeology as a significant aspect of the research program at the National Historic Site. Alternative C would provide a comprehensive park-wide approach to resource and visitor use management. Specific management zones detailing acceptable resource conditions, visitor experience, use levels, appropriate activities and development would be applied to historic site lands consistent with this concept. Under Alternative C most current cultural and natural resource management and preservation activities as well as visitor programs and opportunities will continue.

The GMP will guide the management of the monument over the next 20+ years.

The responsible official for this FEIS/GMP is the Regional Director, NPS Southeast Region, 100 Alabama Street SW., 1924 Building, Atlanta, Georgia 30303.

Dated: June 18, 2014.

Sherri L. Fields,

Acting Regional Director Southeast Region.

[FR Doc. 2014–14734 Filed 6–23–14; 8:45 am]

BILLING CODE 4310–JD–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15868; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: U.S. Department of the Interior, National Park Service, Whitman Mission National Historic Site, Walla Walla, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Department of the Interior, National Park Service, Whitman Mission National Historic Site, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to Whitman Mission National Historic Site. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Whitman Mission National Historic Site at the address in this notice by July 24, 2014.

ADDRESSES: Timothy Nitz, Superintendent, Whitman Mission National Historic Site, 328 Whitman Mission Road, Walla Walla, WA 99362, telephone (509) 522–6360, email *WHMI_Superintendent@nps.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the U.S. Department of the Interior, National Park Service, Whitman Mission National Historic Site, Walla Walla, WA, that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the Superintendent, Whitman Mission National Historic Site.

History and Description of the Cultural Items

At an unknown date, two cultural items were removed from site 45–WW–5 in Walla Walla County, WA. The disposition of the human remains is unknown. The two unassociated funerary objects are stone scrapers.

At unknown dates, 14 cultural items were removed from the McNary Dam inundation area in Benton County, WA, and Umatilla County, OR. The disposition of the human remains is unknown. The 14 unassociated funerary objects are 4 stone pestles, 1 stone knife blade, 2 stone scrapers, 1 stone net sinker, 2 polished stone fragments, 2 stone flakes, 1 stone fragment, and 1 projectile point.

At unknown dates, 46 cultural items were removed from site 45–BN–3 in Benton County, WA. The human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The 46 unassociated funerary objects are 20 glass beads, 13 copper tube beads, 2 knife blades, 1 copper tube, 5 dentalia shells, and 5 seashells.

At an unknown date, seven cultural items were removed from unknown locations, likely in Benton or Walla Walla County, WA, and/or Umatilla County, OR. The disposition of the human remains is unknown. The seven unassociated funerary objects are three stone net sinkers, three animal rib bone fragments, and one stone pestle.

In 1946, 434 cultural items were removed from site 45–WW–6 in Walla Walla County, WA. The human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The 434 unassociated funerary objects are 1 copper percussion cap, 1 arrowhead, 6 dentalia shell fragments, 1 small river clamshell, 415 glass beads, 7 glass bead fragments, and 3 turquoise pony beads.

In 1947, one cultural item was removed from an unknown location on the Columbia River in Walla Walla County, WA. The disposition of the human remains is unknown. The one unassociated funerary object is a stone net sinker.

In 1947 and 1948, five cultural items were removed from unknown sites near Whitman Mission National Historic Site in Walla Walla County, WA. The disposition of the human remains is unknown. The five unassociated funerary objects are stone pestles.

In 1948, 28 cultural items were removed from site 45–BN–16 in Benton County, WA. The human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The 28 unassociated funerary objects are 27 fragments of a twined bag and 1 bag of hemp fibers and ash.

In 1949, ten cultural items were removed from site 45–WW–6 in Walla Walla County, WA. The human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The ten unassociated funerary objects are one obsidian flake and nine iron fragments.

In 1949, 36 cultural items were removed from site 45–BN–55 in Benton County, WA. Some of the human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The disposition of other human remains is unknown. The 36 unassociated funerary objects are 1 lot of shell fragments, 1 piece of charred wood, 1 cylindrical stone fragment, 2 charred wood gaming stick pieces, 1 worked stone, 1 basalt hand adze, 2 shell pendants, 10 pieces of reddish clay, 1 rectangular flint pendant, 4 projectile points, 10 dentalia shell fragments, 1 stone bead, and 1 projectile point fragment.

In 1949, 154 cultural items were removed from site 45–BN–3 in Benton County, WA. The human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The 154 unassociated funerary objects are 6 shell beads, 44 glass beads, 1 bone bead, 23 beads, 1 basalt pendant, 1 stone net sinker, 1 bead fragment, 1 button, 1 projectile point, 1 copper tube, 2 copper pendants, 1 burned shell fragment, 2 bone awl tips, 68 copper beads, and 1 scissor handle fragment.

In 1950, 218 cultural items were removed from site 45–BN–55 in Benton County, WA. The disposition of the human remains is unknown. The 218 unassociated funerary objects are 14 projectile points, 2 obsidian knives, 1 flint drill, 105 wampum shells, 58 glass trade beads, 6 bone awls, 2 bone hairpins, 3 bone scrapers, 4 bone tools, 2 bone perforators, 2 fragments of wood, 1 thin sheet of quartz, 2 soapstone cloud blower pipes, 4 soapstone cloud blower pipe fragments, 2 red clay cloud blower pipe fragments, 5 stone flakes, 2 stone blades, 1 stone scraper, 1 flaked stone, and 1 projectile point fragment.

In 1950, seven cultural items were removed from site 45–BN–3 in Benton County, WA. The human remains were repatriated to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) in 1992. The seven unassociated funerary objects are one snail shell, one iron ring, two arrow shaft smoother fragments, one projectile point fragment, one copper button, and one rolled tubular copper bead.

In 1950, one cultural item was removed from Yellipat's Village in Benton County, WA. The disposition of the human remains is unknown. The one unassociated funerary object is a chalcedony scraper or chopper.

The unassociated funerary objects were removed by National Park Service archeologist, Thomas R. Garth, in the late 1940s and early 1950s in the course of fieldwork in the region that includes the confluence of the Snake and Columbia Rivers as well as sites associated with Whitman Mission National Historic Site. Given that Garth was duty-stationed at Whitman Mission National Historic Site and that his work centered on the local region, it is probable that the cultural items for which specific site information is lacking came from sites in the same area. Some items have been in the care of Whitman Mission National Historic Site from their excavation to the present time. Others were stored at Whitman College, the Burke Museum of Natural History and Culture, and Fort Vancouver National Historic Site prior

to being returned to Whitman Mission National Historic Site.

The region within which these sites are located is home to peoples and groups of ancient stability, with no evidence of much relocation or realignment over recent centuries until the arrival of non-native immigrants in the early 19th century. Information provided during consultation by representatives of the Confederated Tribes and Bands of the Yakama Nation; Confederated Tribes of the Colville Reservation; Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon); Nez Perce Tribe (previously listed as the Nez Perce Tribe of Idaho) (hereafter referred to as "The Tribes"); and Wanapum, a non-Federally recognized Indian group, indicates that the people occupying the area prior to European contact were highly mobile and traveled the landscape to gather resources as well as trade, and are part of the more broadly defined Plateau cultural community.

Several of the sites and areas from which the cultural items were removed were inundated by the creation of Lake Wallula, behind McNary Dam on the Columbia River just below its confluence with the Snake River. Prior to inundation, these islands and riparian sites were important cemeteries, village sites, and fishing stations associated with the Walla Walla, Cayuse, and Umatilla peoples. The Cayuse people occupied, and the Walla Walla people are associated with, the area surrounding Whitman Mission National Historic Site. In addition, historical Walla Walla leaders are specifically associated with site 45–WW–6 and Yellipat's Village. All of these sites and areas are located within the lands ceded by the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon).

Ethnographic documentation indicates that the region surrounding the confluence of Columbia and Snake Rivers is within overlapping territory of the Cayuse, Palouse, Yakama, and Walla Walla, whose descendants are members of The Tribes and Wanapum, a non-Federally recognized Indian group.

Determinations Made By Whitman Mission National Historic Site

Officials of Whitman Mission National Historic Site have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 963 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and The Tribes. Furthermore, there is a cultural relationship between the unassociated funerary objects and the Wanapum, a non-Federally recognized Indian group.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Timothy Nitz, Superintendent, Whitman Mission National Historic Site, 328 Whitman Mission Road, Walla Walla, WA 99362, telephone (509) 522–6360, email *WHMI_Superintendent@nps.gov*, by July 24, 2014. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to The Tribes may proceed.

Whitman Mission National Historic Site is responsible for notifying The Tribes and Wanapum, a non-Federally recognized Indian group, that this notice has been published.

Dated: May 27, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14748 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15867; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: City of Bellingham/Whatcom Museum, Bellingham, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The City of Bellingham/Whatcom Museum (Whatcom Museum), in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to Whatcom Museum. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Whatcom Museum at the address in this notice by July 24, 2014.

ADDRESSES: Rebecca L. Hutchins, Curator of Collections, Whatcom Museum, 121 Prospect Street, Bellingham, WA 98225, telephone (360) 778–8955, email *rlhutchins@cob.org*.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of Whatcom Museum, Bellingham, WA, that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Items

On a series of unknown dates in 1898, 1 lot of glass seed and pound beads and 1 metal button were removed by Alan McGraw, a local school teacher, from what was described as "a Umatilla burying [sic] ground near old Fort Walla Walla" on the Columbia River in Walla Walla County, WA. Documentation indicates these objects were gathered during the year 1898, "one by one over a period of months" and that "the Indians said they had been traded by the Hudson Bay fur traders about 1813. They had been buried with their owners and exposed by shifting sands." In 1950, these items were loaned to Whatcom Museum by Barbara Royal Blood and, in 2008, full ownership was obtained by Whatcom Museum using the process outlined in the Revised Code of Washington 63.26.

The unassociated funerary objects include 1 lot of glass seed and pound

beads and 1 unadorned metal button and are represented by catalogue numbers 1950.11.11 through 1950.11.13. These beads and button are consistent in material and style to those used in exchange along the Columbia River starting in the early 19th century. The provenance of these objects within the historically documented territory of the Umatilla tribe, now part of the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon), which also includes the Cayuse and Walla Walla tribes, supports the claim of cultural affiliation.

Determinations Made By Whatcom Museum

Officials of Whatcom Museum have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 2 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon).

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Rebecca L. Hutchins, Curator of Collections, Whatcom Museum, 121 Prospect Street, Bellingham, WA 98225, telephone (360) 778–8955, email *rlhutchins@cob.org,* by July 24, 2014. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) may proceed.

Whatcom Museum is responsible for notifying the Confederated Tribes of the Umatilla Indian Reservation (previously listed as the Confederated Tribes of the Umatilla Reservation, Oregon) that this notice has been published.

Dated: May 22, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14751 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15869; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: Anthropological Studies Center, Sonoma State University, Rohnert Park, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Anthropological Studies Center, Sonoma State University, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of sacred objects and objects of cultural patrimony. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the Anthropological Studies Center, Sonoma State University. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the Anthropological Studies Center, Sonoma State University at the address in this notice by July 24, 2014.

ADDRESSES: Sandra Massey, NAGPRA Coordinator, Anthropological Studies Center, Archaeological Collections Facility, Sonoma State University, 1801 East Cotati Ave., Building 29, Rohnert Park, CA 94928, telephone (707) 664–2381, email *massey@sonoma.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Anthropological Studies Center, Sonoma State University that meet the definition of sacred objects and objects of cultural patrimony under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Item(s)

In 1967, 293 cultural items were removed from the Reedlands Woods site (CA–MRN–27) in Tiburon, Marin County, CA, during an excavation under the direction of Dr. Frederickson (accession number 67–01). A number of the sacred objects and objects of cultural patrimony from this site were previously on loan to San Francisco State University and Novato Museum of Prehistory. In 1975, the cultural items from the Novato Museum of Prehistory were transferred to Tiberon Landmark Society, and in 1997, the items were returned to the Archaeological Collections Facility, Sonoma State University. The cultural items on loan to San Francisco State University were returned to the Archaeological Collections Facility, Sonoma State University in 2006.

The 125 sacred objects are 1 bone bead, 1 elk bone whistle, 1 bear tooth with asphaltum, 45 Olivella shell beads, 41 Haliotis shell beads, 1 Macoma shell bead, 17 miscellaneous shell beads, 2 quartz or calcite crystals, 9 charmstones, and 7 pieces micaceous schist. The 168 objects of cultural patrimony are 4 antler tools, 1 Haliotis shell pendant, 1 shell bead blank, 14 bone tools, 1 bone pendant/spatula, 4 bone tubes, 25 pieces modified bone, 40 obsidian tools, 22 worked/utilized obsidian flakes, 9 chert tools, 1 piece worked chert, and 46 pieces groundstone.

Radiocarbon tests from the Reedland Woods site yielded dates between 370 to 190 B.C. and 30 to 95 B.C. Analysis of the artifacts found at the site date the burials to the Upper Archaic period (1500 B.C.–500 B.C.). The Reedland Woods site is located within the historically documented territory of the Federated Indians of Graton Rancheria, California.

Determinations Made By the Anthropological Studies Center, Sonoma State University

Officials of the Anthropological Studies Center, Sonoma State University have determined that:

- Pursuant to 25 U.S.C. 3001(3)(C), the 125 sacred objects described above are specific ceremonial objects needed

by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.

- Pursuant to 25 U.S.C. 3001(3)(D), the 168 objects of cultural patrimony described above have ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the sacred objects and the objects of cultural patrimony, and the Federated Indians of Graton Rancheria, California.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Sandra Massey, NAGPRA Coordinator, Anthropological Studies Center, Archaeological Collections Facility, Sonoma State University, 1801 East Cotati Ave., Building 29, Rohnert Park, CA 94928, telephone (707) 664–2381, email *massey@sonoma.edu* by July 24, 2014. After that date, if no additional claimants have come forward, transfer of control of the sacred objects and objects of cultural patrimony to the Federated Indians of Graton Rancheria, California, may proceed.

The Anthropological Studies Center, Sonoma State University is responsible for notifying the Federated Indians of Graton Rancheria, California, that this notice has been published.

Dated: May 22, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14750 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15911; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: County of Titus, Mount Pleasant, TX

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: Titus County, Mount Pleasant, TX, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects or objects of cultural patrimony. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to Titus County. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Titus County at the address in this notice by July 24, 2014.

ADDRESSES: Terry Plucker, Titus County, P.O. Box 9389, The Woodlands, TX 77387, telephone (936) 441–9121.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of Titus County, Mount Pleasant, TX, that meet the definition of unassociated funerary objects or objects of cultural patrimony under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Items

Between January and June 2010, 15 cultural items were removed from the William Ford (41TT852), James Richey (41TT853), and the George Richey (41TT851) sites, as part of the environmental clearance for the US 271 Relief Route project, which passes to the west of Mount Pleasant, in Titus County, TX. A total of 11 sites were identified for further testing to assess their eligibility for listing in the National Register of Historic Places and designation as State Archeological Landmarks, and the three sites listed above were identified for data recovery excavations. These three sites are Caddo farmsteads dating from the Middle Caddo to Late Caddo periods.

Five cultural items were removed from the William Ford site (41TT852) from one burial (Feature 164) and one probable burial (Feature 542A). The cultural items from Feature 164 are one Ripley Engraved carinated bowl, one medium-sized untyped jar, one large undecorated jar in two sections, and one clump of dark reddish brown clay. The bowl was situated on the east side of the pit, and the two jars and clay clump were on the west side with the smaller jar sitting on top of the larger one. The cultural item from Feature 542A is one small undecorated, untyped jar. The objects were removed a specific burial site of a Native American individual and meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

Eight cultural items were removed from the James Richey site (41TT853) from three separate burials (Feature 2, Feature 18, and Feature 25). The cultural items from Feature 2 are one Maydelle Incised jar, one small simple effigy bowl, and one grooved stone tool. The effigy bowl was placed along the north wall on the east side; the Maydelle jar was about 60 cm from the north end on the west side; and the grooved stone was on the east side about 50 cm from the north end. The cultural items from Feature 18 are two small bowls and one small jar. The cultural items from Feature 25 are one undecorated small jar and one small to medium-sized simple bowl. The objects were removed a specific burial site of a Native American individual and meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

Two cultural items were removed from the George Richey site (41TT851). The cultural items are two effigy bowl sherds. No evidence of burials were found at this site. The Caddo Nation of Oklahoma has identified these two objects as have ongoing historical, traditional, or cultural importance central to the Caddo Nation of Oklahoma under 25 U.S.C. 3001.

The Texas Department of Transportation (TXDOT) contracted for the initial archeological survey work and conducted consultation on the entire project with the Caddo Nation of Oklahoma. On January 29, 2013, TXDOT informed the Caddo Nation of Oklahoma the Titus County would be handling NAGPRA consultation. The Caddo Nation of Oklahoma subsequently submitted a claim for these items under NAGPRA.

Determinations Made By Titus County

Officials of Titus County have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), 13 of the cultural items described above are

reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

- Pursuant to 25 U.S.C. 3001(3)(D), 2 of the cultural items described above have ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the cultural items and the Caddo Nation of Oklahoma.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Terry Plucker, Titus County, P.O. Box 9389, The Woodlands, TX 77387, telephone (936) 441–9121, by July 24, 2014. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects or objects of cultural patrimony to the Caddo Nation of Oklahoma may proceed.

Titus County is responsible for notifying the Caddo Nation of Oklahoma that this notice has been published.

Dated: May 29, 2014.

David Tarler,

Acting Manager, National NAGPRA Program.

[FR Doc. 2014–14758 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15828; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: U.S. Department of the Interior, Bureau of Land Management, Gila District Office, Tucson, AZ

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management (BLM), in consultation with the appropriate Indian tribes, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects. Lineal descendants or representatives of any Indian tribe not identified in this notice that wish to claim these cultural items should submit a written request to the BLM. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants or Indian tribes stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the BLM at the address in this notice by July 24, 2014.

ADDRESSES: Tim Shannon, District Manager, Bureau of Land Management, Gila District Office, 3201 East Universal Way, Tucson, AZ 85756, telephone (520) 258–7200, email *tshannon@blm.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the BLM Gila District Office that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Item(s)

In 1983 and 1985, 169 objects were removed from site AZ U:15:109 (ASM) in Florence, Pinal County, AZ, in addition to human remains and associated funerary objects, during legally authorized salvage excavations of the site. A Notice of Inventory Completion was published in the **Federal Register** (65 FR 45399–45401, July 21, 2000) for the human remains and associated funerary objects from burials A through C of AZ U:15:109 (ASM). The human remains and associated funerary objects were repatriated to the Gila River Indian Community of the Gila River Indian Reservation, Arizona. The Gila River Indian Community of the Gila River Indian Reservation, Arizona, has requested repatriation of the 169 objects from site AZ U:15:109 (ASM) as unassociated funerary objects. The objects consist of 158 pottery sherds, 8 lithics, 1 large decorated sherd, and 2 reconstructed pottery jars.

Based on ceramics, site AZ U:15:109 (ASM) was identified as Hohokam. Continuities of ethnographic materials, technology, and architecture indicate affiliation of site AZ U:15:109 (ASM) with present-day Piman, O'odham and Puebloan cultures. Oral traditions presented by representatives of the Ak-Chin Indian Community of the Maricopa (Ak-Chin) Indian Reservation, Arizona; the Gila River Indian Community of the Gila River Indian Reservation, Arizona; the Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; the Tohono O'odham Nation of Arizona; the Hopi Tribe of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico, support affiliation with Hohokam and Salado sites in central Arizona.

Determinations Made By the Bureau of Land Management

Officials of the Bureau of Land Management have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 169 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Gila River Indian Community of the Gila River Indian Reservation, Arizona.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Tim Shannon, District Manager, Bureau of Land Management, Gila District Office, 3201 East Universal Way, Tucson, AZ 85756, telephone (520) 258–7200, email *tshannon@blm.gov,* by July 24, 2014. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to the Gila River Indian Community of the Gila River Indian Reservation, Arizona, may proceed.

The BLM is responsible for notifying the Gila River Indian Community of the Gila River Indian Reservation, Arizona, that this notice has been published.

Dated: May 15, 2014.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2014–14744 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–15829; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, Berkeley, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural item listed in this notice meets the definition of cultural item under 25 U.S.C. 3001. The Phoebe A. Hearst Museum of Anthropology has right of possession to this item, but chooses to waive it in this case. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request to the Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, Berkeley, CA. If no additional claimants come forward, repatriation of the cultural item to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request with information in support of the claim to the Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, at the address in this notice by July 24, 2014.

ADDRESSES: Mr. Jordan Jacobs, Head of Cultural Policy, Phoebe A. Hearst Museum of Anthropology, 103 Kroeber Hall, University of California, Berkeley, Berkeley, CA 94720–3712, telephone (510) 643–8230, email *j.jacobs@berkeley.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate an item in the possession of the Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, Berkeley, CA, that meets the definition of cultural item under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural item. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Item

The one cultural item is a nearly complete wolf skin. The head and lower appendages are stuffed with straw, and the mouth and eyes are stitched shut with sinew. Flicker feathers are attached to the mouth by a tassel of white cotton string, and woodpecker scalps cover each eye. The cultural item was purchased for the museum, on behalf of Phoebe A. Hearst, by Alfred Kroeber in 1902. Dr. Kroeber purchased the item from Alexander Brizard, a local trader in the Klamath River area of Humboldt County, CA. The Museum has right of possession to this item, but chooses to waive it in this case. Evidence presented by the tribe and ethnographic sources suggest that the wolf skin was associated with the Karuk *Pikiavish* (World Renewal Ceremony), and is used in the component of that ceremony known as the White Deerskin Dance.

The cultural affiliation of the cultural item is to the Karuk Tribe (previously listed as the Karuk Tribe of California), as indicated by museum records and by consultation evidence presented by the tribe. Museum records prepared at the time of original acquisition indicate that the cultural item is "Karok."

Determinations Made By the Phoebe A. Hearst Museum of Anthropology at the University of California

Officials of the Phoebe A. Hearst Museum of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001, the one item described above meets the definition of cultural item and is subject to repatriation under NAGPRA.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the wolf skin and the Karuk Tribe (previously listed as the Karuk Tribe of California).

Additional Requestors and Disposition

Lineal descendants or representatives of any other Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request with information in support of the claim to Mr. Jordan Jacobs, Head of Cultural Policy, Phoebe A. Hearst Museum of Anthropology, 103 Kroeber Hall, University of California, Berkeley, Berkeley, CA 94720–371, telephone (510) 643–8230, email *j.jacobs@berkeley.edu*, by July 24, 2014. After that date, if no additional claimants have come forward, repatriation of the cultural item to the Karuk Tribe (previously listed as the Karuk Tribe of California) may proceed.

The Phoebe A. Hearst Museum of Anthropology is responsible for notifying the the Karuk Tribe (previously listed as the Karuk Tribe of California) that this notice has been published.

Dated: May 19, 2014.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2014–14746 Filed 6–23–14; 8:45 am]

BILLING CODE 4312–50–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX066A000 67F 134S180110; S2D2S SS08011000 SX066A00 33F 13xs501520]

Notice of Proposed Information Collection; Request for Comments for 1029–0107

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to request approval for the collection of information relating to Subsidence Insurance Program Grants.

DATES: Comments on the proposed information collection must be received by August 25, 2014, to be assured of consideration.

ADDRESSES: Comments may be mailed to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Room 203–SIB, Washington, DC 20240. Comments may also be submitted electronically to *jtrelease@osmre.gov.*

FOR FURTHER INFORMATION CONTACT: To receive a copy of the information collection request contact John Trelease,

at (202) 208–2783 or via email at *jtrelease@osmre.gov.*

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. This notice identifies the information collection that OSM will be submitting to OMB for approval. This collection is contained in 30 CFR 887, Subsidence Insurance Program Grants. OSM will request a 3-year term of approval for each information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for Part 887 is 1029–0107 and is codified at 30 CFR 887.10. Responses are required to obtain a benefit.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection request to OMB.

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.

This notice provides the public with 60 days in which to comment on the following information collection activity:

Title: 30 CFR 887—Subsidence Insurance Program Grants.

OMB Control Number: 1029–0107.

Summary: States and Indian tribes having an approved reclamation plan may establish, administer and operate self-sustaining state and Indian tribe-administered programs to insure private property against damages caused by land subsidence resulting from underground mining. States and Indian tribes interested in requesting monies for their insurance programs would apply to the Director of OSM.

Bureau Form Number: None.

Frequency of Collection: Once.

Description of Respondents: States and Indian tribes with approved coal reclamation plans.

Total Annual Responses: 1.

Total Annual Burden Hours: 8.

Total Annual Non-Wage Costs: $0.

Dated: June 18, 2014.

Stephen M. Sheffield,

Acting Chief, Division of Regulatory Support.

[FR Doc. 2014–14679 Filed 6–23–14; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX066A000 67F 134S180110; S2D2S SS08011000 SX066A00 33F 13xs501520]

Notice of Proposed Information Collection; Request for Comments for 1029–0054

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to request renewed authority for the collection of information relating to Abandoned mine reclamation funds.

DATES: Comments on the proposed information collection must be received by August 25, 2014, to be assured of consideration.

ADDRESSES: Comments may be mailed to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Room 203—SIB, Washington, DC 20240. Comments may also be submitted electronically to *jtrelease@osmre.gov.*

FOR FURTHER INFORMATION CONTACT: To receive a copy of the information collection request contact John Trelease, at (202) 208–2783, or electronically at *jtrelease@osmre.gov.*

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. This notice identifies the information collection that OSM will be submitting to OMB for approval. This collection is contained in 30 CFR 872, Abandoned mine reclamation funds. OSM will request a 3-year term of approval for each information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for Part 872 is 1029–0054 and is codified at 30 CFR 872.10. Responses are required to obtain a benefit.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection request to OMB.

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.

This notice provides the public with 60 days in which to comment on the following information collection activity:

Title: 30 CFR 872—Abandoned Mine Reclamation Funds.

OMB Control Number: 1029–0054.

Summary: 30 CFR 872 establishes a procedure whereby States and Indian tribes submit written statements announcing the State/Tribe's decision not to submit reclamation plans, and therefore, will not be granted AML funds.

Bureau Form Number: None.

Frequency of Collection: Once.

Description of Respondents: State and Tribal abandoned mine land reclamation agencies.

Total Annual Responses: 1.

Total Annual Burden Hours: 1.

Dated: June 18, 2014.

Stephen M. Sheffield,

Acting Chief, Division of Regulatory Support.

[FR Doc. 2014–14678 Filed 6–23–14; 8:45 am]

BILLING CODE 4310–05–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–509 and 731–TA–1244 (Final)]

1,1,1,2-Tetrafluoroethane From China; Scheduling of the Final Phase of Antidumping and Countervailing Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701–TA–509 and 731–TA–1244 (Final) under sections 705(b) and 731(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)) (the Act) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of subsidized and less-than-fair-value imports from China of 1,1,1,2-tetrafluoroethane, provided for in subheading 2903.39.2020 of the Harmonized Tariff Schedule of the United States.[1]

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

DATES: *Effective Date:* Thursday, May 29, 2014.

FOR FURTHER INFORMATION CONTACT: Justin Enck (202–205–3363), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. 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. General information concerning the Commission may also be obtained by accessing its internet server (*http://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background

Final phase of these investigations is being scheduled as a result of affirmative preliminary determinations by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China of 1,1,1,2-tetrafluoroethane, and that such products are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigations were requested in a petition filed on October 22, 2013, by Mexichem Fluor, Inc. of St. Gabriel, Louisiana.

Participation in the Investigations and Public Service List

Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff Report

The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on Monday, September 29, 2014, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing

The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on Wednesday, October 15, 2014, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before Wednesday, October 8, 2014. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on Thursday, October 9, 2014, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written Submissions

Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform to the provisions of section 207.23 of the Commission's rules; the deadline for filing is Monday, October 6, 2014. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform to the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is Wednesday, October 22, 2014. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before Wednesday, October 22, 2014. On Wednesday, November 5, 2014, the Commission will make available to parties all information on which they

[1] For purposes of these investigations, the Department of Commerce has defined the subject merchandise as, "1,1,1,2-Tetrafluoroethane, R–134a, or its chemical equivalent, regardless of form, type, or purity level. The chemical formula for 1,1,1,2-tetrafluoroethane is CF_3-CH_2F, and the Chemical Abstracts Service ("CAS") registry number is CAS 811–97–2."

have not had an opportunity to comment. Parties may submit final comments on this information on or before Friday, November 7, 2014, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform to the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform to the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on E-Filing,* available on the Commission's Web site at *http://edis.usitc.gov,* elaborates upon the Commission's rules with respect to electronic filing.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: June 12, 2014.

William R. Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2014–14670 Filed 6–23–14; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–501 (Rescission)]

Certain Encapsulated Integrated Circuit Devices and Products Containing Same; Commission Determination To Rescind the Limited Exclusion Order Based on a Settlement and License Agreement

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to rescind the limited exclusion order issued in the above-captioned investigation based on a settlement and license agreement.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–3115. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at *http://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on December 19, 2003, based on a complaint filed by Amkor Technology Inc. ("Amkor"). *See* 68 *Fed. Reg.* 70836 (Dec. 19, 2003). Amkor alleged a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), by respondents Carsem in the importation, sale for importation, and sale within the United States after importation of certain encapsulated integrated circuit devices and products containing same in connection with claims 1–4, 7, 17, 18 and 20–23 of U.S. Patent No. 6,433,277 ("the '277 patent"); claims 1–4, 7 and 8 of U.S. Patent No. 6,630,728 ("the '728 patent"); and claims 1, 2, 13 and 14 of U.S. Patent No. 6,455,356 ("the '356 patent"). All three patents are owned by Amkor. The investigation also concerned a third-party, ASAT, Inc. ("ASAT"), and its invention ("ASAT invention"), which Carsem argued was invalidating prior art to Amkor's asserted patents.

On November 18, 2004, the ALJ issued a final initial determination ("Final ID") finding no violation of section 337. After reviewing the Final ID in its entirety, the Commission on March 31, 2005, modified the ALJ's claim construction and remanded the investigation to the ALJ with instructions "to conduct further proceedings and make any new findings or changes to his original findings that are necessitated by the Commission's new claim constructions." Commission Order ¶ 8 (March 31, 2005). On November 9, 2005, the ALJ issued a remand initial determination ("Remand ID"). The Remand ID found a violation of section 337 with regard to six claims of the '277 patent, but found no violation in connection with the asserted claims of the '728 or '356 patents.

Completion of this investigation was delayed because of difficulty in obtaining from third-party ASAT certain documents that Carsem asserted were critical for its affirmative defenses. The Commission's efforts to enforce a February 11, 2004, subpoena *duces tecum* and *ad testificandum* directed to ASAT resulted in a July 1, 2008, order and opinion of the U.S. District Court for the District of Columbia granting the Commission's second enforcement petition. On July 1, 2009, after ASAT had complied with the subpoena, the Commission issued a notice and order remanding this investigation to the ALJ so that the ASAT documents could be considered. On October 30, 2009, the ALJ issued a supplemental ID ("First Supplemental ID"), finding that the ASAT invention was not prior art, and reaffirming his finding of a violation of section 337.

On February 18, 2010, the Commission reversed the ALJ's finding that the ASAT invention is not prior art to Amkor's asserted patents, and remanded the investigation to the ALJ to make necessary findings in light of the Commission's determination that the ASAT invention is prior art. On March 22, 2010, the ALJ issued a Supplemental ID ("Second Supplemental ID") in which he found that the '277 and '728 patents were invalid in view of ASAT prior art and determined that there was no violation of Section 337 in the present investigation. On July 20, 2010, the Commission determined not to review the ALJ's Remand ID and Second Supplemental ID. As a result, the Commission determined that there is no violation of section 337 in this investigation. Amkor appealed the Commission's decision to the Court of Appeals for the Federal Circuit ("the Court").

On August 22, 2012, the Court ruled on Amkor's appeal reversing the Commission's determination that the '277 Patent is invalid under 35 U.S.C. § 102(g)(2), declining to affirm the Commission's invalidity determination on the alternative grounds raised by Carsem, and remanding for further proceedings consistent with its opinion. *Amkor Technology Inc.* v. *International Trade Commission,* 692 F.3d 1250 (Fed.

Cir. 2012) ("*Amkor Technology*"). On October 5, 2012, Carsem filed a combined petition for panel rehearing and for rehearing en banc. The Court denied Carsem's petition on December 7, 2012, and issued its mandate on December 19, 2012, returning jurisdiction to the Commission.

On January 14, 2013, the Commission issued an Order ("Commission's Order") ordering the parties to the investigation to submit their comments regarding what further proceedings must be conducted to comply with the August 22, 2012, judgment of the U.S. Court of Appeals for the Federal Circuit ("the Court") in *Amkor Technology*.

On June 5, 2013, the Commission issued a Notice ("Commission's Notice") requesting briefing on remedy, bonding and the public interest in the above-captioned investigation, as well as providing responses to certain questions posed by the Commission regarding the economic prong of the domestic industry requirement and the public interest. 78 FR 35051 (June 11, 2013).

On April 4, 2014, the Commission determined that there is a violation of Section 337 in the unlawful importation, sale for importation, and sale after importation by Respondents Carsem of certain encapsulated integrated circuit devices covered by one or more of claims 2–4 and 21–23 of the '277 patent. The Commission determined that the appropriate form of relief was a limited exclusion order prohibiting the unlicensed entry of covered encapsulated integrated circuit devices manufactured abroad by or on behalf of, or imported by or on behalf of, Respondents or any of their affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns.

On May 23, 2014, both private parties jointly petitioned that the limited exclusion order issued by the Commission in the above-captioned proceeding on April 4, 2014, be rescinded pursuant to 19 U.S.C. 1337(k) and 19 CFR 210.76(a). The petitioners submit that rescission is warranted on the basis of changed conditions of fact or law stemming from a settlement between Amkor and Carsem, which provides that all articles currently covered by the Commission's remedial order are now licensed. On May 29, 2014, the Commission investigative attorney filed his response in support of the petition.

The Commission has granted the petition. The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 19, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014–14672 Filed 6–23–14; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0009]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Currently Approved Collection

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Office on Violence Against Women, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted for 60 days until August 25, 2014.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Cathy Poston, Office on Violence Against Women, at 202–514–5430.

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Office on Violence Against Women, 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;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Overview of This Information Collection

(1) Type of Information Collection: Extension of a currently approved collection.

(2) Title of the Form/Collection: Semi-Annual Progress Report for Grantees from the Safe Havens: Supervised Visitation and Exchange Grant Program (Supervised Visitation Program).

(3) Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number: 1122–0009. U.S. Department of Justice, Office on Violence Against Women.

(4) Affected public who will be asked or required to respond, as well as a brief abstract: The affected public includes the approximately 33 grantees of the Supervised Visitation Program who are States, Indian tribal governments, and units of local government. The Supervised Visitation Program provides an opportunity for communities to support the supervised visitation and safe exchange of children, by and between parents, in situations involving domestic violence, child abuse, sexual assault, or stalking.

(4) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply: It is estimated that it will take the approximately 33 respondents (Supervised Visitation Program grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities in which grantees may engage. A Supervised Visitation Program grantee will only be required to complete the sections of the form that pertain to its own specific activities.

(6) An estimate of the total public burden (in hours) associated with the collection: The total annual hour burden to complete the data collection forms is 66 hours, that is 33 grantees completing a form twice a year with an estimated

completion time for the form being one hour.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: June 19, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–14669 Filed 6–23–14; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OJP (OJJDP) Docket No. 1663]

Meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention; Renewal of Charter

AGENCY: Coordinating Council on Juvenile Justice and Delinquency Prevention.

ACTION: Notice of Meeting and Renewal of Coordinating Council on Juvenile Justice and Delinquency Prevention Charter.

SUMMARY: The Coordinating Council on Juvenile Justice and Delinquency Prevention announces its next meeting and the renewal of its charter.

DATES: *Date of Meeting:* Monday, July 28, 2014, from 10:00 a.m. to 12:00 p.m. (Eastern Time).

ADDRESSES: The meeting will take place in the third floor main conference room at the U.S. Department of Justice, Office of Justice Programs, 810 7th St. NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Visit the Web site for the Coordinating Council at *www.juvenilecouncil.com* or contact Kathi Grasso, Designated Federal Official (DFO), OJJDP, by telephone at 202–616–7567 (not a toll-free number) or via email: *Kathi.Grasso@usdoj.gov*. The meeting is open to the public.

SUPPLEMENTARY INFORMATION: The Coordinating Council on Juvenile Justice and Delinquency Prevention ("Council"), established by statute in the Juvenile Justice and Delinquency Prevention Act of 1974, section 206(a) (42 U.S.C. 5616(a)), will meet to carry out its advisory functions. Documents such as meeting announcements, agendas, minutes, and reports will be available on the Council's Web page, *www.juvenilecouncil.gov* where you may also obtain information on the meeting.

Although designated agency representatives may attend, the Council membership consists of the Attorney General (Chair), the Administrator of the Office of Juvenile Justice and Delinquency Prevention (Vice Chair), the Secretary of Health and Human Services (HHS), the Secretary of Labor (DOL), the Secretary of Education (DOE), the Secretary of Housing and Urban Development (HUD), the Director of the Office of National Drug Control Policy, the Chief Executive Officer of the Corporation for National and Community Service, and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement. The nine additional members are appointed by the Speaker of the U.S. House of Representatives, the U.S. Senate Majority Leader, and the President of the United States. Other federal agencies take part in Council activities, including the Departments of Agriculture, Defense, Interior, and the Substance and Mental Health Services Administration of HHS.

Meeting Agenda: The agenda will include: (a) Welcome and Introductions; (b) Presentations and Discussion Addressing Federal Government Activities Related to the Reentry of Juvenile Justice Systems Involved Youth into the Community; (c) and Agency/Practitioner Member Announcements.

Registration: For security purposes, members of the public who wish to attend the meeting must pre-register online at *www.juvenilecouncil.gov* no later than Wednesday, July 23rd, 2014. Should problems arise with web registration, contact Daryel Dunston at 240–432–3014 or send a request to register to Mr. Dunston. Please include name, title, organization or other affiliation, full address and phone, fax and email information and send to his attention either by fax to 866–854–6619, or by email to *ddunston@aeioonline.com*. Note that these are not toll-free telephone numbers. Additional identification documents may be required. Meeting space is limited.

Note: Photo identification will be required for admission to the meeting.

Written Comments: Interested parties may submit written comments and questions in advance of the meeting by Wednesday, July 23rd, 2014 to Kathi Grasso, Designated Federal Official for the Coordinating Council on Juvenile Justice and Delinquency Prevention, at *Kathi.Grasso@usdoj.gov*. Alternatively, fax your comments to 202–307–2819 and contact Joyce Mosso Stokes at 202–305–4445 to ensure that they are received. These are not toll-free numbers.

The Council expects that the public statements submitted will not repeat previously submitted statements. Written questions from the public are also invited at the meeting.

Renewal of Council Charter: In addition to notifying the public about the Coordinating Council meeting, this **Federal Register** Notice notifies the public that the Charter of the Coordinating Council on Juvenile Justice and Delinquency Prevention has been renewed in accordance with the Federal Advisory Committee Act, Section 14(a)(1). The renewal Charter was signed by U.S. Attorney General Eric Holder on June 5, 2014. One can obtain a copy of the renewal Charter by accessing the Coordinating Council's Web site at *www.juvenilecouncil.gov*.

Robert L. Listenbee,

Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 2014–14629 Filed 6–23–14; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OJP (OJP) Docket No. 1664]

Meeting of the Office of Justice Programs' Science Advisory Board

AGENCY: Office of Justice Programs (OJP), Justice.

ACTION: Notice of meeting.

SUMMARY: This notice announces a forthcoming meeting of OJP's Science Advisory Board ("Board"). General Function of the Board: The Board is chartered to provide OJP, a component of the Department of Justice, with valuable advice in the areas of science and statistics for the purpose of enhancing the overall impact and performance of its programs and activities in criminal and juvenile justice. To this end, the Board has designated six (6) subcommittees: National Institute of Justice (NIJ); Bureau of Justice Statistics (BJS); Office of Juvenile Justice and Delinquency Prevention (OJJDP); Bureau of Justice Assistance (BJA); Quality and Protection of Science; and Evidence Translation/Integration.

DATES: The meeting will take place on Thursday, July 17, 2014, from 8:30 a.m. to 4:00 p.m., ET, with a break for lunch at approximately noon.

ADDRESSES: The meeting will take place in the Main Conference Room on the third floor of the Office of Justice

Programs, 810 7th Street, Northwest, Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Phelan Wyrick, Designated Federal Officer (DFO), Office of the Assistant Attorney General, Office of Justice Programs, 810 7th Street Northwest, Washington, DC 20531; Phone: (202) 353–9254 [Note: This is not a toll-free number]; Email: *phelan.wyrick@usdoj.gov.*

SUPPLEMENTARY INFORMATION: This meeting is being convened to brief the OJP Assistant Attorney General and the Board members on the progress of the subcommittees, discuss any recommendations they may have for consideration by the full SAB, and brief the Board on various OJP-related projects and activities. The final agenda is subject to adjustment, but it is anticipated that there will be a morning session and an afternoon session, with a break for lunch. These sessions will likely include briefings of the subcommittees' activities and discussion of future SAB actions and priorities.

This meeting is open to the public. Members of the public who wish to attend this meeting must register with Phelan Wyrick at the above address at least seven (7) days in advance of the meeting. Registrations will be accepted on a space available basis. Access to the meeting will not be allowed without registration. Persons interested in communicating with the Board should submit their written comments to the DFO, as the time available will not allow the public to directly address the Board at the meeting. Anyone requiring special accommodations should notify Mr. Wyrick at least seven (7) days in advance of the meeting.

Phelan Wyrick,

Science Policy Advisor and SAB DFO, Office of the Assistant Attorney General, Office of Justice Programs.

[FR Doc. 2014–14654 Filed 6–23–14; 8:45 am]

BILLING CODE 4410–18–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2014–040]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

DATES: Requests for copies must be received in writing on or before July 24, 2014. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

ADDRESSES: You may request a copy of any records schedule identified in this notice by contacting Records Management Services (ACNR) using one of the following means:

Mail: NARA (ACNR), 8601 Adelphi Road, College Park, MD 20740–6001.

Email: request.schedule@nara.gov.

Fax: 301–837–3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

FOR FURTHER INFORMATION CONTACT: Margaret Hawkins, Director, Records Management Services (ACNR), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740–6001. Telephone: 301–837–1799. Email: *request.schedule@nara.gov.*

SUPPLEMENTARY INFORMATION: Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1225.12(e).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

Schedules Pending

1. Department of Defense, Office of the Secretary of Defense (DAA–0330–2014–0008, 3 items, 3 temporary items). Master files of an electronic information system containing recruitment data.

2. Department of Defense, Office of the Secretary of Defense (DAA–0330–2014–0009, 1 item, 1 temporary item).

Master files of an electronic information system containing survey data used for recruitment purposes.

3. Department of Defense, Defense Security Service (DAA–0446–2013–0004, 2 items, 2 temporary items). Agency Web site content and management records including site maps, usage logs, and design files.

4. Department of Defense, National Security Agency (N1–457–14–3, 1 item, 1 temporary item). System monitoring, testing, and evaluation data used for compilation of formal reports.

5. Department of Health and Human Services, Office of the Inspector General (DAA–0468–2013–0011, 6 items, 5 temporary items). Records including litigation case files, subpoenas, and legal opinions. Proposed for permanent retention are significant legal case files.

6. Department of Homeland Security, Agency-wide (DAA–0563–2013–0006, 5 items, 4 temporary items). Records of inter- and intra-agency agreements, including background and administrative files. Proposed for permanent retention are international agreements.

7. Department of Homeland Security, U.S. Citizenship and Immigration Services (DAA–0566–2014–0001, 2 items, 2 temporary items). Physician applications for approval to perform immigration related medical examinations.

8. Department of Justice, Agency-wide (DAA–0060–2014–0002, 1 item, 1 temporary item). Determinations of technology patents and rights developed as part of Departmental business.

9. Department of Justice, Civil Division (DAA–0060–2012–0020, 3 items, 1 temporary item). Administrative files for victim compensation claims related to September 11, 2001. Proposed for permanent retention are the master file for the claims management system, and background and policy files.

10. Department of the Treasury, Internal Revenue Service (DAA–0058–2012–0005, 26 items, 20 temporary items). Records of the Office of the Chief Counsel documenting administrative and legal tax assistance activities, including correspondence, case files, and related materials. Proposed for permanent retention are notices, orders, published guidance, and legislative proposals.

11. Executive Office of the President, Office of Science and Technology Policy (N1–359–11–1, 14 items, 5 temporary items). Records include routine administrative and personnel files. Proposed for permanent retention are files of senior level officials including correspondence, calendars, and subject files; continuity devolution plans; delegation of authority files; and briefing materials.

12. Federal Housing Finance Agency, Supervision and Housing Mission (DAA–0543–2014–0001, 2 items, 1 temporary item). Records of the examination and evaluation activities including research notes and meeting minutes. Proposed for permanent retention are final reports.

13. Library of Congress, Agency-wide (DAA–0297–2014–0014, 1 item, 1 temporary item). Congressional correspondence files and related materials.

14. National Archives and Records Administration, Research Services (N2–220–13–1, 1 item, 1 temporary item). Records of the National Indian Gaming Commission including audit reports and financial statements. These records were accessioned to the National Archives but lack sufficient historical value to warrant continued preservation.

15. Nuclear Regulatory Commission, Office of Nuclear Security and Incident Response (N1–431–08–20, 8 items, 7 temporary items). Records relating to the reporting of events at nuclear facilities including call logs, call lists and working copies of documents used for reference purposes. Proposed for permanent retention are master files of an electronic information system used for tracking incidents at licensed nuclear facilities.

16. Nuclear Waste Technical Review Board, Agency-wide (DAA–0220–2014–0013, 2 items, 2 temporary items). Agency Web site content and management records including site maps, usage logs, and design files.

17. Reconstruction Finance Corporation, Federal Loan Agency (N1–234–12–1, 15 items, 7 temporary items). Records include administrative files, audit reports and surveys, remittance transmittals, abstracts, and appraisals. Proposed for permanent retention are bank liquidation records, mortgage and loan files, and Florida Emergency Pipeline records.

18. Reconstruction Finance Corporation, Various Corporations (N1–234–12–4, 8 items, 7 temporary items). Records include loan files, litigation records, payment applications, profit determinations, and real estate files. Proposed for permanent retention are program history files documenting land grant activities.

Dated: June 18, 2014.

Paul M. Wester, Jr.,

Chief Records Officer for the U.S. Government.

[FR Doc. 2014–14630 Filed 6–23–14; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meeting of National Council on the Humanities

AGENCY: National Endowment for the Humanities.

ACTION: Notice of Meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, notice is hereby given that the National Council on the Humanities will meet to advise the Chairman of the National Endowment for the Humanities (NEH) with respect to policies, programs and procedures for carrying out his functions; to review applications for financial assistance under the National Foundation on the Arts and Humanities Act of 1965 and make recommendations thereon to the Chairman; and to consider gifts offered to NEH and make recommendations thereon to the Chairman.

DATES: The meeting will be held on Thursday and Friday, July 10–11, 2014, each day from 9:00 a.m. until adjourned.

ADDRESSES: The meeting will be held at Constitution Center, 400 7th Street SW., Washington, DC 20506. See Supplementary Information section for room numbers.

FOR FURTHER INFORMATION CONTACT: Lisette Voyatzis, Committee Management Officer, 400 7th Street SW., 4th Floor, Washington, DC 20506, or call (202) 606–8322. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the National Endowment for the Humanities' TDD terminal at (202) 606–8282. Please provide advance notice of any special needs or accommodations, including for a sign language interpreter.

SUPPLEMENTARY INFORMATION: The National Council on the Humanities is meeting pursuant to the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 951–960, as amended). The Committee meetings of the National Council on the Humanities will be held on July 10, 2014, as follows: the policy discussion session (open to the public) will convene at 9:00 a.m. until approximately 10:30 a.m., followed by the discussion of specific grant applications and programs before the Council (closed to the public) from 10:30 a.m. until adjourned.

Digital Humanities: Room 4089.

Education Programs: Conference Room C.

Federal/State Partnership: Room P002.

Preservation and Access: Room 2002.

Public Programs: Room P003.

Research Programs: Room 4002.

In addition, the National Humanities Medals Committee (closed to the public) will meet from 2:30 p.m. until 3:30 p.m. in Room 4002.

The plenary session of the National Council on the Humanities will convene on July 11, 2013 at 9:00 a.m. in the Conference Center at Constitution Center. The agenda for the morning session (open to the public) will be as follows:

A. Minutes of the Previous Meeting

B. Reports

1. Introductory Remarks

2. Presentation

3. Staff Report

4. Chief of Staff/White House and Congressional Affairs Report

5. Reports on Policy and General Matters

a. Digital Humanities

b. Education Programs

c. Federal/State Partnership

d. Preservation and Access

e. Public Programs

f. Research Programs

g. National Humanities Medals

The remainder of the plenary session will be for consideration of specific applications and therefore will be closed to the public.

As identified above, portions of the meeting of the National Council on the Humanities will be closed to the public pursuant to sections 552b(c)(4), 552b(c)(6) and 552b(c)(9)(b) of Title 5 U.S.C., as amended. The closed sessions will include review of personal and/or proprietary financial and commercial information given in confidence to the agency by grant applicants, and discussion of certain information, the premature disclosure of which could significantly frustrate implementation of proposed agency action. I have made this determination pursuant to the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings dated July 19, 1993.

Dated: June 18, 2014.

Lisette Voyatzis,

Committee Management Officer.

[FR Doc. 2014–14641 Filed 6–23–14; 8:45 am]

BILLING CODE 7536–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2014–0146]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to Section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from May 29, 2014 to June 11, 2014. The last biweekly notice was published on June 6, 2014.

DATES: Comments must be filed by July 24, 2014. A request for a hearing must be filed by August 25, 2014.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

• Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0146. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• Mail comments to: Cindy Bladey, Office of Administration, Mail Stop: 3WFN–06–A44M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Kay K. Goldstein, NRR/DORL/LPLI–1, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1506 email: *Kay.Goldstein@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2014–0146 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

• Federal rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0146.

• NRC's Agencywide Documents Access and Management System (ADAMS): You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select *"ADAMS Public Documents"* and then select *"Begin Web-based ADAMS Search."* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.

• NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2014–0146 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly

disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of Title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/*. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings

unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on obtaining information related to this document, see the "Obtaining Information and Submitting Comments" section of this document.

Duke Energy Progress Inc., Docket No. 50–261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of amendment request: September 10, 2013, as supplemented by letter dated April 8, 2014. Publicly-available versions are in ADAMS under Accession Nos. ML13262A008 and ML14106A370, respectively.

Description of amendment request: The amendment would revise Surveillance Requirement 3.4.12.6, of Technical Specification (TS) 3.4.12, Low Temperature Overpressure Protection (LTOP) System, with a Note that does not require that the surveillance be performed until 12 hours after decreasing the Reactor Coolant System (RCS) cold leg temperature to less than or equal to (≤) 350 degrees Fahrenheit (°F), which is the temperature when LTOP operability controlled by TS 3.4.12 is credited. In addition, the FREQUENCY requirement is modified to 31 days after the initial testing has been proven to be acceptable. The changes are in accordance with NUREG–1431, Revision 3, "Standard Technical Specifications—Westinghouse Plants," dated June 2004.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This license amendment request proposes allowing up to a 12 hour delay in performing the COT [channel operational test] testing used to verify the LTOP lift setpoint following the RCS reaching the maximum temperature at which the LTOP is required to be operable. The pressurizer power operated relief valves (PORVs) are utilized to protect against exceeding safe pressure limits under low temperature conditions. The system is in service whenever the plant is in Modes 4, 5 and 6 with the reactor head on and the RCS cold leg temperature is at ≤ 350 °F. The proposed change does not affect the function of the LTOP or when that function is applicable for protection of the plant. The change only adjusts the required frequency of the initial surveillance testing after the LTOP has been put into service per plant procedures. The affected surveillance testing is not assumed to be an accident initiator and has no adverse effect on the operation of the LTOP system.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

This proposed change does not alter the design, function, or operation of any plant component and does not install any new or different equipment. The malfunction of safety related equipment, assumed to be operable in the accident analyses, would not be caused as a result of the proposed technical specification change. No new failure mode has been created and no new equipment performance burdens are imposed.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The pressurizer power operated relief valves (PORV) are utilized to protect against exceeding safe pressure limits under low temperature conditions. The system is in service whenever the plant is in Modes 4, 5 and 6 with the reactor head on and the RCS cold leg temperature at ≤ 350 °F. The proposed change does not affect the function of the LTOP or when that function is applicable for protection of the plant. The change only adjusts the required frequency of the initial surveillance testing after the LTOP has been put into service per plant procedures. In addition, these proposed changes may enhance plant safety and reliability because the delay in the required testing will allow the operators to focus on other critical transition activities during entry into Mode 4 operation.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lara S. Nichols, Deputy General Counsel, Duke Energy Corporation, 550 South Tyron Street, Mail Code DEC45A, Charlotte, NC 28202.

NRC Acting Branch Chief: Lisa M. Regner.

Exelon Generation Company, LLC, Docket Nos. STN 50–456 and STN 50–457, Braidwood Station, Units 1 and 2, Will County, Illinois, Docket Nos. STN 50–454 and STN 50–455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois

Date of amendment request: March 18, 2014. A publicly-available version is in ADAMS under Accession No. ML14077A582.

Description of amendment request: The proposed amendment would revise Technical Specifications (TS) 3.4.15, "RCS Leakage Detection Instrumentation," to define a new time limit for restoring inoperable Reactor Coolant System (RCS) leakage detection instrumentation to operable status and establish alternate methods of monitoring RCS leakage when one or more required monitors are inoperable. The changes are consistent with NRC-approved Revision 3 to Technical Specification Task Force (TSTF) Improved Standard Technical Specification (STS) Change Traveler TSTF–513, "Revise PWR Operability Requirements and Actions for RCS Leakage Instrumentation."

The availability of this TS improvement was announced in the **Federal Register** on January 3, 2011 (76 FR 189), as part of the consolidated line item improvement process.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the Proposed Change Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated?

Response: No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation, and prescribes the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radioactivity monitor. The monitoring of RCS leakage is not a precursor to any accident previously evaluated. The monitoring of RCS leakage is not used to mitigate the consequences of any accident previously evaluated.

Therefore, it is concluded that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the Proposed Change Create the Possibility of a New or Different Kind of Accident from any Accident Previously Evaluated?

Response: No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and prescribes the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radioactivity monitor. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change maintains sufficient continuity and diversity of leak detection capability that the probability of piping evaluated and approved for Leak-Before-Break progressing to pipe rupture remains extremely low.

Therefore, it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the Proposed Change Involve a Significant Reduction in a Margin of Safety?

Response: No.

The proposed change reintroduces the containment atmosphere gaseous radioactivity monitor as an option for

meeting the operability requirement for TS 3.4.15 LCO [Limiting Condition for Operation], clarifies the operability requirements for the RCS leakage detection instrumentation and prescribes the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor.

The proposed change reintroduces the containment atmosphere gaseous radioactivity monitor as an option for meeting the operability requirement for TS 3.4.15 LCO, since industry experience has shown that the containment atmosphere gaseous radiation monitor is useful to detect an increase in RCS leak rate and provides a diverse means to confirm an RCS leak exists when other monitors detect an increase in RCS leak rate.

The amount of time the plant is allowed to operate with only the containment atmosphere gaseous radioactivity monitor operable does not result in a reduction in the margin of safety since an increase in RCS leakage will be detected before it potentially results in a gross failure.

Therefore, it is concluded that the proposed change does not involve a significant reduction in a margin of safety.

Based upon the above analysis, EGC [Exelon Generation Company, LLC] concludes that the requested change does not involve a significant hazards consideration, as set forth in 10 CFR 50.92(c), "Issuance of Amendment."

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the requested amendments involve no significant hazards consideration.

Attorney for licensee: Mr. Bradley J. Fewell, Associate General Counsel, Exelon Nuclear, 4300 Winfield Road, Warrenville, IL 60555.

NRC Branch Chief: Travis L. Tate.

Northern States Power Company—Minnesota, Docket No. 50–263, Monticello Nuclear Generating Plant (MNGP), Wright County, Minnesota

Date of amendment request: October 30, 2012, as supplemented by letters dated May 16, 2013, June 7, 2013, March 13, 2014, and May 30, 2014. Publicly-available versions are in ADAMS under Accession Nos. ML123070544, ML13136A145, ML13158A269, ML14072A390, and ML14150A271, respectively).

Description of amendment request: The amendment proposes to revise the MNGP technical specification (TS) 4.3.1, "Fuel Storage Criticality," and TS 4.3.3, "Fuel Storage Capacity," to reflect fuel storage system changes; a revised criticality safety analysis that addresses legacy fuel types, in addition to the planned use of AREVA Atrium™ 10XM fuel design; and adds a new TS 5.5.15, "Spent Fuel Pool Boral Monitoring Program," for assuring that the spent fuel pool storage rack neutron absorber material (Boral) meets the minimum requirements assumed in the criticality safety analysis.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which the Commission issued in the **Federal Register** on June 11, 2013 (78 FR 35063). The Commission is issuing a revised no significant hazards consideration to consider the aspects of the new program TS 5.5.15.

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment does not change the fuel handling processes, fuel storage racks, decay heat generation rate, or the SFP [spent fuel pool] cooling and cleanup system. The proposed amendment was evaluated for impact on the following previously-evaluated events and accidents: (1) Fuel handling accident (FHA), (2) fuel assembly misleading, (3) seismically-induced movement of spent fuel storage racks, and (4) loss of spent fuel pool cooling.

Whereas fuel handling procedures will not be changed materially for the new fuel type or the revised criticality methods, the probability of a FHA is not increased because the implementation of the proposed amendment will employ the same equipment and procedures to handle fuel assemblies that are currently used. Therefore, the proposed amendment does not increase the probability or occurrence of a FHA. In that the proposed amendment does not increase the mechanistic damage to a fuel assembly or the radiological source term of any fuel assembly, the amendment would not increase the radiological consequences of a FHA. With regard to the potential criticality consequences of a dropped assembly coming to rest adjacent to a storage rack or on top of a storage rack, the results are bounded by the current analysis involving a potential missing neutron poison plate in the storage rack. The fuel configuration caused by a dropped assembly resting on top of loaded storage racks is inherently bounded by the assembly misloaded in the storage rack because the misloaded assembly is in closer proximity to other assemblies along its entire fuel length.

Operation in accordance with the proposed amendment will not change the probability of a fuel assembly misloading because fuel movement will continue to be controlled by approved fuel selection and fuel handling procedures. The consequences of a fuel misloading event (fuel assembly loaded into an unapproved location) are not changed because the reactivity analysis demonstrates that the same subcriticality criteria and requirements continue to be met for the worst-case fuel misloading event.

Operation in accordance with the proposed amendment will not change the probability of occurrence of a seismic event, which is considered an Act of God. Also, the consequences of a seismic event are not changed because the proposed amendment involves no significant change to the types of material stored in SFP storage racks or their mass. In this manner, the forcing functions for seismic excitation and the resulting forces are not changed. Also, particular to criticality, the supporting criticality analysis takes no credit for gaps between high-density rack modules so any seismically-induced movement between high-density racks that puts them in closer proximity would not result in an unanalyzed condition with consequences worse than those analyzed. Also, the small displacement of the high-density rack closest to the fixed location of the low-density rack will not put those racks in a closer proximity than that analyzed. In summary, the proposed amendment will not increase the probability or consequence of a seismic event.

Operation in accordance with the proposed amendment will not change the probability of a loss of spent fuel pool cooling because the changes in fuel criticality limits and introduction of the ATRIUM 10XM fuel design have no bearing on the systems, structures, and components involved in initiating such an event. The proposed amendment does not change the heat load imposed by spent fuel assemblies nor does it change the flow paths in the spent fuel pool. Therefore, the accident consequences are not increased for the proposed amendment.

The proposed amendment would establish a TS requirement to provide and maintain a monitoring program for SFP storage rack Boral. In that regard, the proposed TS does not change the fuel handling processes, fuel storage racks, the character of the nuclear fuel, or the SFP cooling and cleanup systems that might affect the probability or consequences of an accident associated with the SFP.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment involves no new SFP loading configurations for current and legacy fuel designs of the nuclear plant. The proposed amendment does not change or modify the fuel handling processes, fuel storage racks, decay heat generation rate, or the spent fuel pool cooling and cleanup system. Further, the new fuel type does not introduce any incompatible materials to the spent fuel pool environment.

As such, the proposed changes introduce no new material interactions, man-machine interfaces, or processes that could create the potential for an accident of a new or different type.

Operation with the proposed amendment will not create a new or different kind of

accident because fuel movement will continue to be controlled by approved fuel handling procedures. There are no changes in the criteria or design requirements pertaining to fuel storage safety, including subcriticality requirements, and analyses demonstrate that the proposed storage arrays meet these requirements and criteria with adequate margins. Thus, the proposed storage arrays cannot cause a new or different kind of accident.

The proposed amendment would establish a TS requirement to provide and maintain a monitoring program for SFP storage rack Boral. As such, the proposed changes introduce no new material interactions, man-machine interfaces, or processes that could create the potential for an accident of a new or difference type.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment was evaluated for its effect on current margins of safety for criticality. Although the amendment involves changing the subcriticality acceptance limit for the low-density storage rack from a value of 0.90 to 0.95, the margin of safety for subcriticality is not significantly reduced in that the limit is consistent with that of the other storage racks and the regulation described by 10 CFR 50.68 (b)(4). The new criticality analysis confirms that operation in accordance with the proposed amendment continues to meet the required subcriticality margin.

The proposed amendment would establish a TS requirement to provide and maintain a monitoring program for SFP storage rack Boral. The proposed TS expressly establishes an acceptance criterion that relates directly to the minimum neutron attenuation capability assumed in the criticality safety analysis. Thus, it is expressly created to maintain the safety margin established in the analysis. As such, the proposed changes introduce no change to plant system operation or nuclear fuel characteristics that would affect the margin of safety for plant systems.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Peter M. Glass, Assistant General Counsel, Xcel Energy Services, Inc., 414 Nicollet Mall, Minneapolis, MN 55401.

NRC Branch Chief: Robert D. Carlson.

Southern Nuclear Operating Company, Inc., Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50–321 and 50–366, Edwin I. Hatch Nuclear Plant (HNP), Unit Nos. 1 and 2, Appling County, Georgia

Date of amendment request: March 24, 2014. A publicly-available version is in ADAMS under Accession No. ML14084A201.

Description of amendment request: The proposed amendments would modify Technical Specification (TS) Reactor Core Safety Limits 2.1.1.1 and 2.1.1.2 to reduce the reactor steam dome pressure from 785 to 685 psig. The licensee states that this revision will resolve a concern reported pursuant to 10 CFR Part 21, "Reporting of Defects and Noncompliance" regarding the potential to violate Reactor Core Safety Limit 2.1.1.1 during a pressure regulator failure open (PRFO) transient.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), an analysis of the issue of no significant hazards consideration is presented below:

SNC has evaluated the proposed amendment in accordance with 10 CFR 50.91 against the standards in 10 CFR 50.92 and has determined that the operation of the HNP Units 1 and 2 in accordance with the proposed amendment presents no significant hazards. SNC's evaluation against each of the criteria in 10 CFR 50.92 follows.

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change to the reactor steam dome pressure in Reactor Core Safety Limits 2.1.1.1 and 2.1.1.2 does not alter the use of the analytical methods used to determine the safety limits that have been previously reviewed and approved by the NRC. The proposed change is in accordance with an NRC approved critical power correlation methodology, and as such, maintains required safety margins. The proposed change does not adversely affect accident initiators or precursors, nor does it alter the design assumptions, conditions, or configuration of the facility or the manner in which the plant is operated and maintained.

The proposed change does not alter or prevent the ability of structures, systems, and components (SSCs) from performing their intended function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed change does not require any physical change to any plant SSCs nor does it require any change in systems or plant operations. The proposed change is consistent with the safety analysis assumptions and resultant consequences.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

There are no hardware changes nor are there any changes in the method by which any plant systems perform a safety function. No new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of the proposed change.

The proposed change does not introduce any new accident precursors, nor does it involve any physical plant alterations or changes in the methods governing normal plant operation. Also, the change does not impose any new or different requirements or eliminate any existing requirements. The change does not alter assumptions made in the safety analysis.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is related to confidence in the ability of the fission product barriers (fuel cladding, reactor coolant system, and primary containment) to perform their design functions during and following postulated accidents. Evaluation of the 10 CFR Part 21 condition by General Electric determined that since the Minimum Critical Power Ratio improves during the PRFO transient, there is no decrease in the safety margin and therefore there is not a threat to fuel cladding integrity.

The proposed change to Reactor Core Safety Limits 2.1.1.1 and 2.1.1.2 is consistent with and within the capabilities of the applicable NRC approved critical power correlation for the fuel designs in use at HNP Units 1 and 2. No setpoints at which protective actions are initiated are altered by the proposed change. The proposed change does not alter the manner in which the safety limits are determined. This change is consistent with plant design and does not change the TS operability requirements; thus, previously evaluated accidents are not affected by this proposed change.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Based on the above, SNC has determined that operation of the facility in accordance with the proposed change does not involve a significant hazards consideration as defined in 10 CFR 50.92(c), in that it does not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three

standards of 10 CFR 50.59(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

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NRC Branch Chief: Robert Pascarelli.

Tennessee Valley Authority, Docket Nos. 50–327 and 50–328, Sequoyah Nuclear Plant (SQN), Units 1 and 2, Hamilton County, Tennessee

Date of amendment request: November 22, 2013. A publicly-available version is in ADAMS under Accession No. ML13329A717.

Description of amendment request: The amendment would revise the current Technical Specifications (CTS) to Standard Technical Specifications (STS) consistent with the Improved Standard Technical Specifications (ITS) described in NUREG–1431, "Standard Technical Specifications—Westinghouse Plants," Revision 4. Licensees are encouraged to upgrade their plant-specific technical specifications to the ITS to achieve a high degree of standardization and consistency as described in NUREG–1431 Rev. 4 (ADAMS Accession No. ML12100A222). A number of changes and revisions have been made to those STS, which includes the adoption of some recent Technical Specification Task Force (TSTF) travelers. The LAR also includes changes that are beyond the scope of the ITS as described in NUREG–1431, Revision 4.

Enclosure 1 of the LAR contains "Contents of the Sequoyah Nuclear Plant, Units 1 and 2, ITS Submittal," which describes the organization and content of the submittal, including each of the volumes in Enclosure 2.

Enclosure 2 of the LAR contains 16 volumes and the bases for the proposed ITS. These bases, however, are not part of the technical specifications and are not part of the staff's review, but are maintained consistent with the Updated Final Safety Analysis Report (UFSAR). Volumes 1–14 provide a detailed description of the proposed changes to the following ITS Chapters and Sections:

Volume 1	Application of Selection Criteria.
Volume 2.	No Significant Hazard Consideration and Environmental Assessment.
Volume 3	ITS Chapter 1.0, Use and Application.
Volume 4	ITS Chapter 2.0, Safety Limits.
Volume 5	ITS Section 3.0, Limiting Condition for Operation (LCO) Applicability and Surveillance Requirement (SR) Applicability.
Volume 6	ITS Section 3.1, Reactivity Control Systems.
Volume 7	ITS Section 3.2, Power Distribution Limits.
Volume 8	ITS Section 3.3, Instrumentation.
Volume 9	ITS Section 3.4, Reactor Coolant System (RCS).
Volume 10	ITS Section 3.5, Emergency Core Cooling Systems (ECCS).
Volume 11	ITS Section 3.6, Containment Systems.
Volume 12	ITS Section 3.7, Plant Systems.
Volume 13	ITS Section 3.8, Electrical Power Systems.
Volume 14	ITS Section 3.9, Refueling Operations.
Volume 15	ITS Chapter 4.0, Design Features.
Volume 16	ITS Chapter 5.0, Administrative Controls.

Enclosure 3 of the LAR provides a description of the 15 beyond scope changes and 7 TSTF travelers that are likely to need a formal Technical Branch review. Enclosure 4 provides evaluations that justify adoption of changes to the Reactor Trip and Engineered Safety Features Actuation Systems. Enclosure 5 provides evaluations that justify adoption of changes to the extension of containment isolation valve completion times. Enclosure 6 provides information on the disposition of other LARs as they related to the SQN ITS conversion. Enclosure 7 lists the NRC-approved changes to NUREG–1431, Revision 4, as of March 6, 2011, and summarizes TVA's disposition of these changes in the SQN ITS conversion. Enclosure 8 lists the regulatory commitments made in TVA's ITS conversion LAR. Enclosure 9 provides a summary of the UFSAR descriptions required as part of the adoption of TSTF–500, "DC [direct current] Electrical Rewrite—Update to TSTF–360" (ADAMS Accession No. ML111751792). Enclosure 10 provides documentation of TVA's Probabilistic Risk Assessment technical adequacy required as part of the adoption of TSTF–425, "Relocate Surveillance Frequencies to Licensee Control—RITSTF Initiative 5b" (ADAMS Package Accession No. ML090850642).

This notice is based on the November 22, 2013, request, and the information provided to the NRC through the Sequoyah ITS Conversion Web page hosted by Excel Services Corporation at *http://www.excelservices.com.* To expedite the review of the application, the NRC staff has issued and will issue its requests for additional information (RAIs) using the ITS Conversion Web page. The licensee has addressed and will address the NRC staff's RAIs through the ITS Conversion Web page. Entry into the database is protected so that only NRC reviewers can enter information into the database to add RAIs and only the licensee can enter the database to provide responses to the RAIs; however, the public can enter the database to read the questions asked and the responses provided. To be in compliance with the regulations for written communications for LARs and to have the database on the SQN dockets before the amendments would be issued, the licensee will provide a copy of the database in a submittal to the NRC after the staff has no further RAIs and before the NRC staff's decisions on the amendments are made. The RAIs and responses to RAIs are organized by ITS Section.

The licensee has classified each proposed change to the SQN CTS into one of the following five categories (with its letter designator within brackets):

- *Administrative changes (A)*—Changes to the CTS that do not result in new requirements or change operational restrictions or flexibility. These changes are supported in aggregate by a single generic no significant hazards consideration (NSHC).
- *More restrictive changes (M)*—Changes to the CTS that result in added restrictions or reduced flexibility. These changes are supported in aggregate by a single generic NSHC.
- *Relocated specifications (R)*—Changes to the CTS that relocate specifications that do not meet the selection criteria of § 50.36(c)(2)(ii) of Title 10 of the *Code of Federal Regulations* (10 CFR). These changes are

supported in aggregate by a single generic NSHC.

- *Removed detail changes (LA)*— Changes to the CTS that eliminate detail and relocate the detail to a licensee-controlled document. Typically, this involves details of system design and function, or procedural detail on methods of conducting a Surveillance Requirement (SR). These changes are supported in aggregate by a single generic NSHC.
- *Less restrictive changes (L)*— Changes to the CTS that result in reduced restrictions or added flexibility. These changes are supported either in aggregate by a generic NSHC that addresses a particular category of less restrictive change, or by a specific NSHC if the change does not fall into one of the nine categories of less restrictive changes. The nine categories of less restrictive changes are designated as:

Category 1: Relaxation of LCO Requirements
Category 2: Relaxation of Applicability
Category 3: Relaxation of Completion Time
Category 4: Relaxation of Required Action
Category 5: Deletion of Surveillance Requirement
Category 6: Relaxation of Surveillance Requirement Acceptance Criteria
Category 7: Relaxation of Surveillance Frequency
Category 8: Deletion of Surveillance Requirement Shutdown Performance Requirements
Category 9: Allowed Outage Time, Surveillance Frequency, and Bypass Time Extensions Based on Generic Topical Reports

Basis for proposed no significant hazards consideration determination (NSHC): As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of NSHC, by classification of change, which is presented below. The generic proposed NSHC, by classification of change, are listed first, followed by the specific proposed NSHC related to less restrictive changes.

For those less restrictive changes that do not fall into one of the generic "Less Restrictive Change" categories, or those changes that are in the "More Restrictive Change" categories, specific NSHC evaluations have been provided:

- ITS Chapter 1.0, "Use and Applications," Less Restrictive Change L01
- ITS Section 3.0, "LCO and SR Applicability," Less Restrictive Change L01
- ITS Section 3.0, "LCO and SR Applicability," Less Restrictive Change L02
- ITS Section 3.3.1, "Reactor Trip System (RTS) Instrumentation," Less Restrictive Change L11 and L12
- ITS Section 3.3.1, "Reactor Trip System (RTS) Instrumentation," More Restrictive Change M24

Generic Proposed NSHC

Administrative Changes

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change involves reformatting, renumbering, and rewording the CTS. The reformatting, renumbering, and rewording process involves no technical changes to the CTS. As such, this change is administrative in nature and does not affect initiators of analyzed events or assumed mitigation of accident or transient events.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or changes in methods governing normal plant operation. The proposed change will not impose any new or eliminate any old requirements.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change will not reduce a margin of safety because it has no effect on any safety analyses assumptions. This change is administrative in nature.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

More Restrictive Changes

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change provides more stringent Technical Specification requirements for the facility. These more stringent requirements do not result in operations that significantly increase the probability of initiating an analyzed event, and do not alter assumptions relative to mitigation of an accident or transient event. The more restrictive requirements continue to ensure process variables, structures, systems, and components are maintained consistent with the safety analyses and licensing basis.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or changes in methods governing normal plant operation. The proposed change does impose different Technical Specification requirements. However, these changes are consistent with the assumptions in the safety analyses and licensing basis.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The imposition of more restrictive requirements either has no effect on or increases the margin of plant safety. As provided in the discussion of change, each change in this category is, by definition, providing additional restrictions to enhance plant safety. The change maintains requirements within the safety analyses and licensing basis.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Relocated Specifications

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates requirements and Surveillances for structures, systems, components, or variables that do not meet the criteria of 10 CFR 50.36(c)(2)(ii) for inclusion in Technical Specifications as identified in the Application of Selection Criteria to the SQN Technical Specifications. The affected structures, systems, components or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and Surveillances for these affected structures, systems, components, or variables will be relocated from the CTS to the TRM [Technical Requirements Manual], which is currently incorporated by reference into the UFSAR, thus it will be maintained pursuant to 10 CFR 50.59. The UFSAR is subject to the change control provisions of 10 CFR 50.59 and 10 CFR 50.71(e). In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures which are also controlled by 10 CFR 50.59, and are subject to the change control provisions imposed by plant administrative procedures, which endorse applicable regulations and standards.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or change in the methods governing normal plant operation. The proposed change will not impose or eliminate any requirements, and adequate control of existing requirements will be maintained.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change will not reduce a margin of safety because it has no significant effect on any safety analyses assumptions, as indicated by the fact that the requirements do not meet the 10 CFR 50.36 criteria for retention. In addition, the relocated requirements are moved without change, and any future changes to these requirements will be evaluated per 10 CFR 50.59.

NRC prior review and approval of changes to these relocated requirements, in accordance with 10 CFR 50.92, will no longer be required. This review and approval does not provide a specific margin of safety that can be evaluated. However, the proposed change is consistent with NUREG–1431, issued by the NRC, which allows revising the CTS to relocate these requirements and Surveillances to a licensee controlled document.

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

Removed Detail Changes

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relocates certain details from the CTS to other documents under regulatory control. The Technical Specification Bases and the TRM, which is currently incorporated by reference into the UFSAR, will be maintained in accordance with 10 CFR 50.59. In addition to 10 CFR 50.59 provisions, the Technical Specification Bases are subject to the change control provisions in the Administrative Controls Chapter of the ITS. The UFSAR is subject to the change control provisions of 10 CFR 50.59 and 10 CFR 50.71(e). Other documents are subject to controls imposed by the ITS or other regulations. Since any changes to these documents will be evaluated, no significant increase in the probability or consequences of an accident previously evaluated will be allowed.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or changes in methods governing normal plant operation. The proposed change will not impose or eliminate any requirements, and adequate control of the information will be maintained.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change will not reduce a margin of safety because it has no effect on any safety analyses assumptions. In addition, the details to be moved from the CTS to other documents are not being changed. Since any future changes to these details will be evaluated under the applicable regulatory change control mechanism, no significant reduction in a margin of safety will be allowed. A significant reduction in the margin of safety is not associated with the elimination of the 10 CFR 50.90 requirement for NRC review and approval of future changes to the relocated details. Not including these details in the Technical Specifications is consistent with NUREG–1431, issued by the NRC, which allows revising the Technical Specifications to relocate these requirements and Surveillances to a licensee controlled document controlled by 10 CFR 50.59, 10 CFR 50.71(e), or other Technical Specification controlled or regulation controlled documents.

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

Less Restrictive Changes—Category 1—Relaxation of LCO Requirements

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change provides less restrictive LCO requirements for operation of the facility. These less restrictive LCO requirements do not result in operation that will significantly increase the probability of initiating an analyzed event and do not alter assumptions relative to mitigation of an accident or transient event in that the requirements continue to ensure process variables, structures, systems, and components are maintained consistent with the current safety analyses and licensing basis.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change does impose different requirements. However, the change is consistent with the assumptions in the current safety analyses and licensing basis.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The imposition of less restrictive LCO requirements does not involve a significant reduction in the margin of safety. As provided in the discussion of change, this change has been evaluated to ensure that the current safety analyses and licensing basis requirements are maintained.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 2—Relaxation of Applicability

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the conditions under which the LCO requirements for operation of the facility must be met. These less restrictive applicability requirements for the LCOs do not result in operation that will significantly increase the probability of initiating an analyzed event and do not alter assumptions relative to mitigation of an accident or transient event in that the requirements continue to ensure that process variables, structures, systems, and components are maintained in the MODES and other specified conditions assumed in the safety analyses and licensing basis.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change does impose different requirements. However, the requirements are consistent with the assumptions in the safety analyses and licensing basis.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The relaxed applicability of LCO requirements does not involve a significant reduction in the margin of safety. As provided in the discussion of change, this change has been evaluated to ensure that the LCO requirements are applied in the MODES and specified conditions assumed in the safety analyses and licensing basis.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 3—Relaxation of Completion Time

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the Completion Time for a Required Action. Required Actions and their associated Completion Times are not initiating conditions for any accident previously evaluated, and the accident analyses do not assume that required equipment is out of service prior to the analyzed event. Consequently, the relaxed Completion Time does not significantly increase the probability of any accident previously evaluated. The consequences of an analyzed accident during the relaxed Completion Time are the same as the consequences during the existing Completion Time. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the method governing normal plant operation. The Required Actions and associated Completion Times in the ITS have been evaluated to ensure that no new accident initiators are introduced.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The relaxed Completion Time for a Required Action does not involve a significant reduction in the margin of safety. As provided in the discussion of change, the change has been evaluated to ensure that the allowed Completion Time is consistent with safe operation under the specified Condition, considering the OPERABILITY status of the redundant systems of required features, the capacity and capability of remaining features, a reasonable time for repairs or replacement of required features, and the low probability of a DBA [design basis accident] occurring during the repair period.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 4—Relaxation of Required Action

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes Required Actions. Required Actions and their associated Completion Times are not initiating conditions for any accident previously evaluated, and the accident analyses do not assume that required equipment is out of service prior to the analyzed event. Consequently, the relaxed Required Actions do not significantly increase the probability of any accident previously evaluated. The Required Actions in the ITS have been developed to provide appropriate remedial actions to be taken in response to the degraded condition considering the OPERABILITY status of the redundant systems of required features, and the capacity and capability of remaining features while minimizing the risk associated with continued operation. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The Required Actions and associated Completion Times in the ITS have been evaluated to ensure that no new accident initiators are introduced.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The relaxed Required Actions do not involve a significant reduction in the margin of safety. As provided in the discussion of change, this change has been evaluated to minimize the risk of continued operation under the specified Condition, considering the OPERABILITY status of the redundant systems of required features, the capacity and capability of remaining features, a reasonable time for repairs or replacement of required features, and the low probability of a Design Basis Accident (DBA) occurring during the repair period.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 5—Deletion of Surveillance Requirement

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change deletes Surveillance Requirements. Surveillances are not initiators to any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be OPERABLE and capable of performing the accident mitigation functions assumed in the accident analyses. As a result, the consequences of any accident previously evaluated are not significantly affected.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The remaining Surveillance Requirements are consistent with industry practice, and are considered sufficient to prevent the removal of the subject Surveillances from creating a new or different type of accident.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The deleted Surveillance Requirements do not result in a significant reduction in the margin of safety. As provided in the discussion of change, the change has been evaluated to ensure that the deleted Surveillance Requirements are not necessary for verification that the equipment used to meet the LCO can perform its required functions. Thus, appropriate equipment continues to be tested in a manner and at a frequency necessary to give confidence that the equipment can perform its assumed safety function.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 6—Relaxation of Surveillance Requirement Acceptance Criteria

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the acceptance criteria of Surveillance Requirements. Surveillances are not initiators to any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be OPERABLE and capable of performing the accident mitigation functions assumed in the accident analyses. As a result, the consequences of any accident previously evaluated are not significantly affected.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or

different type of equipment will be installed) or a change in the methods governing normal plant operation.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The relaxed acceptance criteria for Surveillance Requirements do not result in a significant reduction in the margin of safety. As provided in the discussion of change, the relaxed Surveillance Requirement acceptance criteria have been evaluated to ensure that they are sufficient to verify that the equipment used to meet the LCO can perform its required functions. Thus, appropriate equipment continues to be tested in a manner that gives confidence that the equipment can perform its assumed safety function.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 7—Relaxation of Surveillance Frequency

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes Surveillance Frequencies. The relaxed Surveillance Frequencies have been established based on achieving acceptable levels of equipment reliability. Consequently, equipment that could initiate an accident previously evaluated will continue to operate as expected, and the probability of the initiation of any accident previously evaluated will not be significantly increased. The equipment being tested is still required to be OPERABLE and capable of performing any accident mitigation functions assumed in the accident analyses. As a result, the consequences of any accident previously evaluated are not significantly affected.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The relaxed Surveillance Frequencies do not result in a significant reduction in the margin of safety. As provided in the discussion of change, the relaxation in the Surveillance Frequency has been evaluated to ensure that it provides an acceptable level of equipment reliability. Thus, appropriate equipment continues to be tested at a Frequency that gives confidence that the equipment can perform its assumed safety function when required.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 8—Deletion of Surveillance Requirement Shutdown Performance Requirements

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change involves the deletion of the requirement to perform Surveillance Requirements while in a shutdown condition. Surveillances are not initiators to any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The appropriate plant conditions for performance of the Surveillance will continue to be controlled in plant procedures to assure the potential consequences are not significantly increased. This control method has been previously determined to be acceptable as indicated in NRC Generic Letter No. 91–04. The proposed change does not affect the availability of equipment or systems required to mitigate the consequences of an accident because of the availability of redundant systems or equipment.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change involves the deletion of the requirement to perform Surveillance Requirements while in a shutdown condition, but does not change the method of performance. The appropriate plant conditions for performance of the Surveillance will continue to be controlled in plant procedures to assure the possibility of a new or different kind of accident is not created. The control method has been previously determined to be acceptable as indicated in NRC Generic Letter No. 91–04.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change involves the deletion of the requirement to perform Surveillance Requirements while in a shutdown condition. However, the appropriate plant conditions for performance of the Surveillance will continue to be controlled in plant procedures. The control method has been previously determined to be acceptable as indicated in NRC Generic Letter No. 91–04.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Less Restrictive Changes—Category 9—Allowed Outage Time, Surveillance Frequency, and Bypass Time Extensions Based on Generic Topical Reports

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to completion times, bypass times, the Surveillance Test Intervals (STIs) and the RTB [reactor trip breaker] Completion Time (CT) reduce the potential for inadvertent reactor trips and spurious actuations, and therefore, do not increase the probability of an accident previously evaluated.

The proposed changes will not result in a significant increase in the risk of plant operation as demonstrated in the NRC approved WCAPs [Westinghouse Commercial Atomic Power (Reports)]. The impact of plant safety as measured by core damage frequency (CDF) is less than 1.0E–06 per year and the impact of large early release frequency (LERF) is less than 1.0E–07 per year. These changes meet the acceptance criteria in Regulatory Guides 1.174 and 1.177. Therefore, there will not be a significant increase in the probability of an accident.

The proposed changes did not include any hardware changes, and therefore, all structures, systems, and components will continue to perform their intended function to mitigate the consequences of an event within the assumed acceptance limits. The proposed changes do not affect source term, containment isolation, or the radiological release assumptions used in evaluating radiological consequences of previously analyzed accidents.

Therefore, the proposed changes do not increase the consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not involve any hardware changes, any setpoint changes, any addition of safety related equipment, or any changes in the manner in which the systems provide plant protection.

Additionally, all operator actions credited in accident analyses remain the same. There are no new or different accident initiators or new accidents scenarios created by the proposed changes.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The safety analyses acceptance criteria in the Updated Final Safety Analysis Report (UFSAR) are not impacted by these changes. The proposed changes do not alter the manner in which safety limits, limiting safety system settings, or limiting conditions for operation are determined.

All signals and operator actions credited in the UFSAR accident analyses will remain the same. Redundant RPS [reactor protection

system] and ESFAS [engineered safety feature actuation system] trains are maintained and diversity with regard to the signals that provide reactor trip and engineered safety features actuation is also maintained. The calculated impact on risk continues to meet the acceptance criteria contained in Regulatory Guides 1.174 and 1.177.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

Specific Proposed NSHC (Change Does Not Fall Into One of Eight Categories of Less Restrictive Changes)

ITS Chapter 1.0, "Use and Applications," Less Restrictive Change L01 (LAR, Enclosure 2, Volume 3; Revision 0, page 116 of 117):

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change adds an allowance that an actual as well as a simulated signal can be credited during the COT [Channel Operational Test]. This change allows taking credit for unplanned actuations if sufficient information is collected to satisfy the surveillance test requirements. This change is acceptable because the channel itself cannot discriminate between an "actual" or "simulated" signal, and the proposed requirement does not change the technical content or validity of the test. This change will not affect the probability of an accident. The source of the signal sent to components during a Surveillance is not assumed to be an initiator of any analyzed event. The consequence of an accident is not affected by this change. The results of the testing, and, therefore, the likelihood of discovering an inoperable component, are unaffected. As a result, the assurance that equipment will be available to mitigate the consequences of an accident is unaffected.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change adds an allowance that an actual as well as a simulated signal can be credited during the COT. This change will not physically alter the plant (no new or different type of equipment will be installed). The change does not require any new or revised operator actions.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change adds an allowance that an actual as well as a simulated signal can be credited during the COT. The margin of safety is not affected by this change. This change allows taking credit for unplanned actuations if sufficient information is collected to satisfy the surveillance test requirements. This change is acceptable because the channel itself cannot discriminate between an "actual" or "simulated" signal. As a result, the proposed requirement does not change the technical content or validity of the test.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

ITS Section 3.0, "LCO and SR Applicability," Less Restrictive Change L01 (LAR, Enclosure 2, Volume 5, Revision 0, page 86 of 90):

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

Barriers are not an initiator to any accident previously evaluated. The probability of an accident previously evaluated is not significantly increased. Barriers support the operation of equipment assumed to mitigate the effects of accidents previously evaluated. The proposed relaxation may only be applied to a single train or subsystem of a multiple train or subsystem Technical Specification system at a given time for a given category of initiating event, or to multiple trains or subsystems of a multiple train or subsystem Technical Specification system provided the affected barriers protect against different categories of initiating events. Therefore, for any given category of initiating event, the ability to perform the assumed safety function is preserved. The consequences of an accident occurring during the time allowed when barriers are not capable of performing their related support function are no different from the consequences of the same accident while relying on the Actions of the supported Technical Specification systems.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

No new or different accidents result from using the proposed change. The changes do not involve a physical alteration of the plant (i.e., no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements or eliminate any existing requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change allows for a limited period of time in which barriers may be unable to perform their related support function without declaring the supported systems inoperable. A risk analysis has shown that this provision will not have a significant effect on plant risk. In addition, regulatory requirements in 10 CFR 50.65(a)(4) require risk assessment and risk management, which will ensure that plant risk is not significantly increased.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

ITS Section 3.0, "LCO and SR Applicability," Less Restrictive Change L02 (LAR, Enclosure 2, Volume 5, Revision 0, page 89 of 90):

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change allows the Completion Time for periodic actions to be extended by 25 percent. This change does not significantly affect the probability of an accident. The length of time between performance of Required Actions is not an initiator to any accident previously evaluated. The consequences of any accident previously evaluated are the same during the Completion Time or during any extension of the Completion Time. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change allows the Completion Time for periodic actions to be extended by 25 percent. This change will not involve physically altering the plant (i.e., no new or different type of equipment will be installed). In addition, the change does not involve any new or revised operator actions.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

Response: No.

The proposed change allows the Completion Time for periodic actions to be extended by 25 percent. The 25 percent extension allowance is provided for scheduling convenience and is not expected to have significant effect on the average time between Required Actions. As a result, the Required Action will continue to provide appropriate compensatory measures for the subject Condition.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

ITS Section 3.3.1, "Reactor Trip System (RTS) Instrumentation," Less Restrictive Change L11 and L12 (LAR, Enclosure 2, Volume 8, Revision 0, page 323 of 1148):

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the Engineered Safety Feature Actuation System (ESFAS) Instrumentation, Auxiliary Feedwater Main Steam Generator Water Level-Low-Low, when an RCS Loop ΔT [change in temperature] or a Containment Pressure (EAM [Environmental Allowance Modifier]) channel is inoperable. Placing the affected Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels in trip uses installed equipment designed specifically for placing the channels in trip. This change will not affect the probability of an accident, because the OPERABLE Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels will continue to perform the safety function the instrumentation is required to perform. The Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are not initiators of any accident sequence analyzed in the Updated Final Safety Analysis Report (UFSAR). Rather, Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are used to mitigate accidents. The consequences of an analyzed accident will not be significantly increased since the minimum requirements for Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels will be maintained to ensure the availability of the required instrumentation to mitigate accidents assumed in the UFSAR. Operation in accordance with the proposed TS [technical specifications] will ensure that sufficient Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are OPERABLE as required to support the unit's required features. Therefore, the mitigating functions supported by the Auxiliary Feedwater Main Steam Generator Water Level-Low-Low instrumentation will continue to provide the protection assumed by the accident analysis. The integrity of fission product barriers, plant configuration, and operating procedures as described in the UFSAR will not be affected by the proposed changes. Thus, the consequences of previously analyzed accidents will not be significantly increased by implementing these changes.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the ESFAS Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels. The remaining Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are required to be OPERABLE to support the associated unit's required features. This change will not physically alter the plant (no new or different type of equipment will be installed). The proposed changes will maintain the minimum requirements for Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels to ensure the availability of the equipment required to mitigate accidents assumed in the UFSAR.

Therefore, operation of the facility in accordance with this proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

Response: No.

The proposed change relaxes the Required Actions for the ESFAS Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels. The remaining Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are required to be OPERABLE to support the associated unit's required features. The margin of safety is not affected by this change because the minimum requirements for Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels will be maintained to ensure the availability of the required Auxiliary Feedwater Main Steam Generator Water Level-Low-Low instrumentation to shutdown the reactor and maintain it in a safe shutdown condition after an abnormal operational transient or postulated design basis accident.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

ITS Section 3.3.1, "Reactor Trip System (RTS) Instrumentation," More Restrictive Change M24 (LAR, Enclosure 2, Volume 8, Revision 0, page 327 of 1148):

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change affects the setpoint limits and the nominal setpoint for the RCP [reactor coolant pump] underfrequency reactor trip. Once the setpoint is exceeded, the RCP underfrequency reactor trip performs its design function in the same manner as before the proposed change. Maintenance and operation of the instrumentation is unchanged, except for a change in CTS setpoint, thus there is no increase in the likelihood of a malfunction of the instrument. The revision of the RCP underfrequency has been evaluated and the results are documented in approved calculations. These calculations verify that the revised values are acceptable in accordance with appropriate calculation methodologies and that they will continue to support the accident analysis. Although, this proposed change revised the settings listed in CTS, these revisions will not require changes to the instrumentation settings currently being used or the methods for maintaining them.

Therefore, the proposed revision of these values will not significantly increase the probability or consequences of an accident.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The revised setpoints and the proposed operability limits will continue to provide acceptable initiation of safety functions for the mitigation of postulated accidents as required by the design basis. The primary function of the reactor protection system is to initiate accident mitigation functions. These functions are not considered initiators of postulated accidents. The proposed changes do not create the possibility of a new or different kind of accident because the design functions are not altered and the proposed values meet the accident analysis requirements for accident mitigation.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

Response: No.

The NTSP [nominal trip setpoint] and AV [allowable value] revisions proposed in this request were evaluated and found to be acceptable without impact to the safety limits required for the associated functions. Plant systems will continue to be actuated for those plant conditions that require the initiation of accident mitigation functions. The margin of safety is not reduced because the proposed conservative changes to the AV and NTSP will not change design functions and the initiation of accident mitigation functions for appropriate plant conditions is ensured. Operational margin is reduced by increasing the NTSP and AV, maintaining the margin of safety.

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

ITS Section 3.3.2, "Engineered Safety Feature Actuation System (ESFAS) Instrumentation," Less Restrictive Change L12 and L13 (LAR, Enclosure 2, Volume 8, Revision 0, page 677 of 1148):

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the Engineered Safety Feature Actuation System (ESFAS) Instrumentation, Auxiliary Feedwater Main Steam Generator Water Level-Low-Low, when an RCS Loop ΔT or a Containment Pressure (EAM) channel is inoperable. Placing the affected Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels in trip uses installed equipment designed specifically for placing the channels in trip. This change will not affect the probability of an accident, because the OPERABLE Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels will continue to perform the safety function the instrumentation is required to perform. The Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are not initiators of any accident sequence analyzed in the Updated Final Safety Analysis Report (UFSAR). Rather, Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are used to mitigate accidents. The consequences of an analyzed accident will not be significantly increased since the minimum requirements for Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels will be maintained to ensure the availability of the required instrumentation to mitigate accidents assumed in the UFSAR. Operation in accordance with the proposed TS will ensure that sufficient Auxiliary Feedwater Main Steam Generator Water Level-Low-Low

channels are OPERABLE as required to support the unit's required features. Therefore, the mitigating functions supported by the Auxiliary Feedwater Main Steam Generator Water Level-Low-Low instrumentation will continue to provide the protection assumed by the accident analysis. The integrity of fission product barriers, plant configuration, and operating procedures as described in the UFSAR will not be affected by the proposed changes. Thus, the consequences of previously analyzed accidents will not be significantly increased by implementing these changes.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the ESFAS Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels. The remaining Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are required to be OPERABLE to support the associated unit's required features. This change will not physically alter the plant (no new or different type of equipment will be installed). The proposed changes will maintain the minimum requirements for Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels to ensure the availability of the equipment required to mitigate accidents assumed in the UFSAR.

Therefore, operation of the facility in accordance with this proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

Response: No.

The proposed change relaxes the Required Actions for the ESFAS Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels. The remaining Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels are required to be OPERABLE to support the associated unit's required features. The margin of safety is not affected by this change because the minimum requirements for Auxiliary Feedwater Main Steam Generator Water Level-Low-Low channels will be maintained to ensure the availability of the required Auxiliary Feedwater Main Steam Generator Water Level-Low-Low instrumentation to shutdown the reactor and maintain it in a safe shutdown condition after an abnormal operational transient or postulated design basis accident.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

ITS Section 3.8.1, "AC [Alternating Current] Sources—Operating," Less Restrictive Change L01 (LAR, Enclosure 2, Volume 13, Revision 0, page 200 of 638):

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the opposite unit's offsite AC power sources and DGs [diesel generators]. The opposite unit's offsite AC power sources and DGs are required to be OPERABLE to support the associated unit's required features. This change will not affect the probability of an accident, since the offsite AC circuits and DGs are not initiators of any accident sequence analyzed in the Updated Final Safety Analysis Report (UFSAR). Rather, offsite AC power sources and DGs support equipment used to mitigate accidents. The consequences of an analyzed accident will not be significantly increased since the minimum requirements for AC power sources will be maintained to ensure the availability of the required power to mitigate accidents assumed in the UFSAR. Operation in accordance with the proposed TS will ensure that sufficient onsite and offsite AC power sources are OPERABLE as required to support the unit's required features. Therefore, the mitigating functions supported by the onsite and offsite AC power sources will continue to provide the protection assumed by the accident analysis. The integrity of fission product barriers, plant configuration, and operating procedures as described in the UFSAR will not be affected by the proposed changes. Thus, the consequences of previously analyzed accidents will not increase by implementing these changes.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the opposite unit's offsite AC power sources and DGs. The opposite unit's offsite AC power sources and DGs are required to be OPERABLE to support the associated unit's required features. This change will not physically alter the plant (no new or different type of equipment will be installed). The proposed changes will maintain the minimum requirements for AC power sources to ensure the availability of the equipment required to mitigate accidents assumed in the UFSAR.

Therefore, operation of the facility in accordance with this proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

Response: No.

The proposed change relaxes the Required Actions for the opposite unit's offsite AC power sources and DGs. The opposite unit's offsite AC power sources and DGs are required to be OPERABLE to support the associated unit's required features. The margin of safety is not affected by this change because the minimum requirements for AC power sources will be maintained to ensure the availability of the required power to shutdown the reactor and maintain it in a safe shutdown condition after an AOO [anticipated operational occurrence] or a postulated DBA.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

ITS Section 3.8.9, "Distribution Systems—Operating," Less Restrictive Change L01 (LAR, Enclosure 2, Volume 13, Revision 0, page 359 of 638):

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the opposite unit's distribution system. This change will not affect the probability of an accident, since the distribution system[s] are not initiators of any accident sequence analyzed in the Updated Final Safety Analysis Report (UFSAR). Rather, the opposite unit's distribution system support equipment used to mitigate accidents. The consequences of an analyzed accident will not be significantly increased since the minimum requirements for distribution systems will be maintained to ensure the availability of the required power to mitigate accidents assumed in the UFSAR. Operation in accordance with the proposed TS will ensure that sufficient onsite electrical distribution systems are OPERABLE as required to support the unit's required features. Therefore, the mitigating functions supported by the onsite electrical distribution systems will continue to provide the protection assumed by the accident analysis. The integrity of fission product barriers, plant configuration, and operating procedures as described in the UFSAR will not be affected by the proposed changes. Thus, the consequences of previously analyzed accidents will not increase by implementing these changes.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change relaxes the Required Actions for the opposite unit's onsite electrical distribution systems. This change will not physically alter the plant (no new or different type of equipment will be installed). The proposed changes will maintain the minimum requirements for onsite electrical distribution systems to ensure the availability of the equipment required to mitigate accidents assumed in the UFSAR.

Therefore, operation of the facility in accordance with this proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

Response: No.

The proposed change relaxes the Required Actions for the opposite unit's onsite electrical distribution system. The margin of safety is not affected by this change because the minimum requirements for onsite electrical distribution systems will be maintained to ensure the availability of the required power to shutdown the reactor and maintain it in a safe shutdown condition after an AOO or a postulated DBA.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11A, Knoxville, Tennessee 37902.

NRC Acting Branch Chief: Lisa M. Regner.

II. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items can be obtained as described in the "Obtaining Information and Submitting Comments" section of this document.

Exelon Generation Company, LLC, Docket No. 50–219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey

Date of application for amendment: December 12, 2013.

Brief description of amendment: The amendment revised the Oyster Creek Nuclear Generating Station technical specifications. The amendment modifies Technical Specification Task Force (TSTF) Traveler TSTF–522, Revision 0, "Revise Ventilation System Surveillance Requirements to Operate for 10 Hours per Month," to 15 continuous minutes.

Date of Issuance: May 27, 2014.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment No.: 282. A publicly-available version is in ADAMS under Accession No. ML14008A350; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. DPR–16: The amendment revised the license and technical specifications.

Date of initial notice in ***Federal Register***: February 4, 2014 (79 FR 6643).

The Commission's related evaluation of this amendment is contained in a Safety Evaluation dated May 27, 2014.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, and PSEG Nuclear LLC, Docket Nos. 50–277 and 50–278, Peach Bottom Atomic Power Station, Units 2 and 3, York and Lancaster Counties, Pennsylvania

Date of application for amendments: July 18, 2012, as supplemented by letters dated January 17, 2013, April 23, 2013, April 8, 2014, and April 28, 2014.

Brief description of amendments: The amendments revise the Technical Specifications (TSs) to change the operability requirements for the normal heat sink.

Date of issuance: June 5, 2014.

Effective date: As of the date of issuance, to be implemented within 30 days.

Amendments Nos.: 291 and 294. A publicly-available version is in ADAMS under Accession No. ML14136A485; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–44 and DPR–56: The amendments revised the Facility Operating Licenses and the TSs.

Date of initial notice in ***Federal Register***: September 4, 2012 (77 FR 53928). The letters dated January 17, 2013, April 23, 2013, April 8, 2014, and April 28, 2014, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 5, 2014.

No significant hazards consideration comments received: No.

Nine Mile Point Nuclear Station, LLC, Docket No. 50–410, Nine Mile Point Nuclear Station, Unit 2, Oswego County, New York

Date of application for amendment: November 21, 2012, as supplemented by letters dated March 25, July 31, September 6, November 4, December 13, 2013, and February 25, 2014.

Brief description of amendment: The amendment revised Nine Mile Point Nuclear Station, Unit 2 Technical Specification (TS) Section 3.4.11, "RCS [reactor coolant system] Pressure and Temperature (P/T) Limits," by replacing the existing reactor vessel heatup and cooldown rate limits and the pressure and temperature (P–T) limit curves with references to the Pressure and Temperature Limits Report (PTLR). In addition, a new definition for the PTLR was added to TS Section 1.1, "Definitions," and a new section addressing administrative requirements for the PTLR was added to TS Section 5.0, "Administrative Controls." Relocation of the P–T limit curves to the PTLR is consistent with the guidance provided in NRC approved General Electric Hitachi Nuclear Engineering Licensing Topical Report, NEDC–33178P–A, Revision 1, "General Electric Methodology for Development of Reactor Pressure Vessel Pressure-Temperature Curves." This topical report uses the guidelines provided in NRC Generic Letter (GL) 96–03, "Relocation of the Pressure Temperature Limit Curves and Low Temperature Overpressure Protection System Limits." The proposed TS changes are consistent with the guidance provided in GL 96–03 as supplemented by Technical Specification Task Force (TSTF) traveler TSTF–419–A, "Revise PTLR Definition and References in ISTS [Improved Standard Technical Specifications] 5.6.6, RCS PTLR."

Date of issuance: May 28, 2014.

Effective date: As of the date of issuance and to be implemented no later than July 18, 2014.

Amendment No.: 145. A publicly-available version is in ADAMS under

Accession No. ML14057A554; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–69: Amendment revised the License and Technical Specifications.

Date of initial notice in ***Federal Register***: March 12, 2013 (78 FR 15749). The supplements dated March 25, July 31, September 6, November 4, December 13, 2013, and February 25, 2014, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the Nuclear Regulatory Commission (NRC) staff's initial proposed no significant hazards consideration determination noticed in the **Federal Register**.

The staff's related safety evaluation of the amendment is contained in a Safety Evaluation dated May 28, 2014.

No significant hazards consideration comments received: No.

South Carolina Electric & Gas Company, South Carolina Public Service Authority, Docket No. 50–395, Virgil C. Summer Nuclear Station, Unit 1, Fairfield County, South Carolina

Date of amendment request: October 3, 2013, as supplemented by letter dated December 20, 2013.

Date of issuance: May 29, 2014.

Effective date: This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of issuance.

Amendment No.: 198. A publicly-available version is in ADAMS under Accession No. ML14122A309; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–12: Amendment revised the Facility Operating License.

Date of initial notice in ***Federal Register***: November 26, 2013 (78 FR 70595). The supplemental letter dated December 20, 2013, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 29, 2014.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 16th day of June 2014.

For the Nuclear Regulatory Commission.

Michele G. Evans,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2014–14606 Filed 6–23–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2014–0011]

Report to Congress on Abnormal Occurrences; Fiscal Year 2013; Dissemination of Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is making available NUREG–0090, Volume 36, "Report to Congress on Abnormal Occurrences: Fiscal Year 2013." The report describes those events that the NRC or an Agreement State identified as abnormal occurrences (AOs) during fiscal year (FY) 2013, based on the criteria defined in the report's Appendix A, "Abnormal Occurrence Criteria and Guidelines for Other Events of Interest." The report describes 13 events at Agreement State-licensed facilities. There were no events at NRC-licensed facilities.

DATES: NUREG–0090, Volume 36, is available June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Gladys Figueroa, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, by telephone: 301–252–7545 or by email: *Gladys.Figueroa@nrc.gov*.

SUPPLEMENTARY INFORMATION: Section 208 of the Energy Reorganization Act of 1974, as amended (Public Law 93–438), defines an "abnormal occurrence" as an unscheduled incident or event that the NRC determines to be significant from the standpoint of public health or safety. The report describes those events that the NRC or an Agreement State identified as AOs during FY 2013, based on the criteria defined in this report's Appendix A, "Abnormal Occurrence Criteria and Guidelines for Other Events of Interest." Agreement States are the 37 States that currently have entered into formal agreements with the NRC pursuant to Section 274 of the Atomic Energy Act (AEA) to regulate certain quantities of AEA-licensed material at facilities located within their borders.

The report describes 13 events at Agreement State-licensed facilities. Two Agreement State-licensee events involved radiation exposure to an embryo/fetus, and the other 11 Agreement State-licensee events were medical events as defined in Title 10 of the *Code of Federal Regulations* Part 35 and occurred at medical institutions. During this reporting period, there were no events at NRC-licensed facilities. The report also discusses other events of interest that do not meet the AO criteria, but have been determined by the Commission to be included in the report.

The Federal Reports Elimination and Sunset Act of 1995 (Pub. L. 104–68) requires that AOs be reported to Congress annually, and that the Commission provide as wide dissemination to the public of the information in the report as possible. The full report, NUREG–0090, Volume 36, "Report to Congress on Abnormal Occurrences: Fiscal Year 2013," is available electronically at the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/* and through the NRC's Agencywide Documents Access and Management System (ADAMS) at ADAMS Accession No. ML14150A073.

Dated at Rockville, Maryland, this 18th day of June, 2014.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2014–14720 Filed 6–23–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2014–0001]

Sunshine Act Meeting Notice

DATE: Weeks of June 23, 30, July 7, 14, 21, 28 2014.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of June 23, 2014

There are no meetings scheduled for the week of June 23, 2014.

Week of June 30, 2014—Tentative

There are no meetings scheduled for the week of June 30, 2014.

Week of July 7, 2014—Tentative

There are no meetings scheduled for the week of July 7, 2014.

Week of July 14, 2014—Tentative

Tuesday, July 15, 2014

9:00 a.m. Briefing on Nuclear Power Plant Decommissioning (Public

Meeting) (Contact: Louise Lund, 301–415–3248)

This meeting will be Web cast live at the Web address—*http://www.nrc.gov/.*

Thursday, July 17, 2014

9:00 a.m. Briefing on Radiation Source Protection and Security (Part 1) (Public Meeting) (Contact: Kim Lukes, 301–415–6701)

This meeting will be Web cast live at the Web address—*http://www.nrc.gov/.*

10:35 a.m. Briefing on Radiation Source Protection and Security (Part 2) (Closed—Ex. 9) (Contact: Kim Lukes, 301–415–6701)

Week of July 21, 2014—Tentative

There are no meetings scheduled for the week of July 21, 2014.

Week of July 28, 2014—Tentative

Tuesday, July 29, 2014

9:30 a.m. Briefing on Human Capital and Equal Employment Opportunity (EEO) (Public Meeting) (Contact: Kristin Davis, 301–287–0707)

This meeting will be Web cast live at the Web address—*http://www.nrc.gov/.*

Thursday, July 31, 2014

9:00 a.m. Briefing on the Status of Lessons Learned from the Fukushima Dai-ichi Accident (Public Meeting) (Contact: Kevin Witt, 301–415–2145)

This meeting will be Web cast live at the Web address—*http://www.nrc.gov/.*

* * * * *

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call Rochelle Bavol, 301–415–1651.

* * * * *

Additional Information

The Briefing on Security Issues (Closed—Ex. 1) that was scheduled on Tuesday, June 17, 2014, at 4:00 p.m. was cancelled.

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

* * * * *

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0727, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301–415–1969), or send an email to *Darlene.Wright@nrc.gov.*

Dated: June 19, 2014.

Rochelle C. Bavol,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2014–14855 Filed 6–20–14; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 70–3103; NRC–2010–0264]

Uranium Enrichment Fuel Cycle Inspection Reports Regarding Louisiana Energy Services, National Enrichment Facility, Eunice, New Mexico, Prior to the Commencement of Operations

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) staff has conducted inspections of the Louisiana Energy Services, LLC, National Enrichment Facility in Eunice, New Mexico, and has authorized the introduction of uranium hexafluoride (UF_6) into cascades numbered 4.6, 4.7, 4.8, 4.9, 4.10, 4.11 and 4.12. In addition, the NRC verified that the systems, structures, and components designed to support safe operation of the Cylinder Receipt and Dispatch Building Liquid Effluent Collection and Transfer System and Small Component Decontamination Train Authorization of the facility have been constructed in accordance with the requirements of the approved license.

ADDRESSES: Please refer to Docket ID NRC–2010–0264 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2010–0264. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select *"ADAMS Public Documents"* and then select *"Begin Web-based ADAMS Search."* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced. In addition, for the convenience of the reader, the ADAMS accession numbers are provided in a table in the section of this document entitled, II. Availability of Documents.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Michael Raddatz, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–287–9124; email: *Michael.Raddatz@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Further Information

The NRC staff has prepared inspection reports documenting its findings in accordance with the requirements of the NRC's Inspection Manual, and these reports are available for review as specified in Section II of this notice. The publication of this notice satisfies the requirements of Section 70.32(k) of Title 10 of the *Code of Federal Regulations* (10 CFR), and Section 193(c) of the Atomic Energy Act of 1954, as amended.

The introduction of UF_6 into any module of the National Enrichment Facility is not permitted until the NRC completes an operational readiness and management measures verification review to verify that management measures that ensure compliance with the performance requirements of 10 CFR 70.61 have been implemented and confirms that the facility has been constructed in accordance with the license and will be operated safely. Subsequent operational readiness and management measures verification reviews will continue throughout the various phases of plant construction and, upon completion of these subsequent phases, additional notices of the operation approval letters will be

published in the **Federal Register** in accordance with 10 CFR 70.32(k).

II. Availability of Documents

Documents related to this action, including the application for amendment and supporting documentation, are available online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html*. From this site, you can access the NRC's ADAMS, which provides text and image files of NRC's public documents. Inspection reports associated with the approval letters are referenced in the letters and are also available electronically in ADAMS. Accession numbers for the approval letters are being noticed here as follows:

NRC Cascades Authorization Letters:

Authorization letters	Date	ADAMS accession No.
Cascade numbered 4.6	November 1, 2013	ML13305A239
Cascade numbered 4.7	November 26, 2013	ML13330A565
Cascade numbered 4.8	December 18, 2013	ML13353A481
Cascade numbered 4.9	May 14, 2014	ML14134A477
Cascade numbered 4.10	March 4, 2014	ML14063A025
Cascade numbered 4.11	March 11, 2014	ML14070A285
Cascade numbered 4.12	April 7, 2014	ML14097A331

NRC Authorization Letters Related to the Cylinder Receipt and Dispatch Building (CRDB):

Authorization letters	Date	ADAMS accession No.
CRDB Liquid Effluent Collection and Transfer System and Small Component Decontamination Train Authorization.	August 13, 2013	ML13225A542

NRC Inspection Reports:

Inspection report No.	Date	ADAMS accession No.
IR 07003103/2013–004	October 31, 2013	ML13305A074
IR 07003103/2013–007	January 28, 2014	ML14031A103
IR 07003103/2013–005	January 31, 2014	ML14031A285
IR 07003103/2013–202	February 7, 2014	ML14028A073
IR 07003103/2014–001	March 11, 2014	ML14070A239
IR 07003103/2014–002	April 24, 2014	ML14115A022
IR 07003103/2014–201	May 9, 2014	ML14119A448

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC PDR reference staff at 1–800–397–4209, 301–415–4737 or by email to *pdr.resource@nrc.gov*.

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 11th day of June, 2014.

For the Nuclear Regulatory Commission.

Thomas A. Grice,

Acting Chief, Uranium Enrichment Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2014–14701 Filed 6–23–14; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

National Council on Federal Labor-Management Relations Meeting

AGENCY: Office of Personnel Management.

ACTION: Notice of change in meeting date.

SUMMARY: The National Council on Federal Labor-Management Relations meeting previously scheduled for Wednesday, July 16, 2014, and announced in 78 FR 77172 (December 20, 2013), has been rescheduled for Wednesday, July 23, 2014.

The meeting will start at 10:00 a.m. EDT and will be held in Room 1350, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415. Interested parties should consult the Council Web site at *www.lmrcouncil.gov* for the latest information on Council activities, including changes in meeting dates.

The Council is an advisory body composed of representatives of Federal employee organizations, Federal management organizations, and senior Government officials. The Council was established by Executive Order 13522, entitled, "Creating Labor-Management Forums to Improve Delivery of Government Services," which was signed by the President on December 9, 2009. Along with its other responsibilities, the Council assists in the implementation of labor-management forums throughout the Government and makes recommendations to the President on innovative ways to improve delivery of services and products to the public while cutting costs and advancing employee interests. The Council is co-chaired by the Director of the Office of Personnel Management and the Deputy

Director for Management of the Office of Management and Budget.

At its meetings, the Council will continue its work in promoting cooperative and productive relationships between labor and management in the executive branch by carrying out the responsibilities and functions listed in section 1(b) of the Executive Order. The meetings are open to the public. Please contact the Office of Personnel Management at the address shown below if you wish to present material to the Council at the meeting. The manner and time prescribed for presentations may be limited, depending upon the number of parties that express interest in presenting information.

FOR FURTHER INFORMATION CONTACT: Tim Curry, Deputy Associate Director for Partnership and Labor Relations, Office of Personnel Management, 1900 E Street NW., Room 7H28, Washington, DC 20415; phone at (202) 606–2930; or email at *PLR@opm.gov.*

For the National Council.

Katherine Archuleta,

Director.

[FR Doc. 2014–14684 Filed 6–23–14; 8:45 am]

BILLING CODE 6325–39–P

POSTAL REGULATORY COMMISSION

[Docket No. MC2014–26; Order No. 2091]

New Price Category

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing requesting the addition of Gift Cards to the competitive product list as a price category to the Greeting Cards and Stationery product. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 3, 2014. *Reply Comments are due:* July 17, 2014.

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

The Postal Service is currently selling American Express gift cards at about 5,000 post offices throughout the United States pursuant to a market test extension authorized by the Commission that is scheduled to expire on June 27, 2014.[1] On June 9, 2014, the Postal Service filed a request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.,* to add Gift Cards to the competitive product list as a price category to the Greeting Cards and Stationery product.[2] It proposes that the product name be changed to Greeting Cards, Gift Cards, and Stationery in the competitive product list. Request at 1.

II. Postal Service Filing

Request for an interim order. Recognizing that the Commission may not be able to complete its review of the Request by the expiration of the market test, the Postal Service requests that the Commission issue an interim order before June 27, 2014, allowing the Postal Service to continue selling the open loop cards currently available at post offices until a final order is issued in this proceedings. *Id.* at 1–2. Absent such an order, the Postal Service states that requiring it "to pull these gift cards from Post Offices pending a final order in this proceeding" would be inefficient and harmful to customers. *Id.* at 2.[3]

The Postal Service Request. The Request includes a copy of the Governors' Decision and Certification (Attachment A), a Statement of Supporting Justification to demonstrate the Request meets the criteria in 39 U.S.C. 3642 (Attachment B) and proposed Mail Classification Schedule (MCS) language (Attachment C). The Postal Service also filed on June 9, 2014 a notice of filing a non-public library reference with estimated cost coverage calculations in an Excel workbook with revenue and cost information together with an Application for Non-Public Treatment for the protection of the information as Attachment A to the Notice.[4]

The Statement of Supporting Justification (Request, Attachment B) filed through Betty Y. Su, Executive Director of Brand Marketing, states that the Gift Cards service (as part of the Greeting Cards and Stationery product) will cover its attributable costs and make a positive contribution to institutional costs, citing to the non-public library reference, Estimated Cost Coverage Calculations. *Id.* at 1–2. She says the market for gift cards is highly competitive and fees must be kept low to compete with other retailers. *Id.* at 2–3. Gift cards are widely available from private firms and surveys of customers using the product found them convenient and would be bought again, although some customers were concerned about longer lines at the post office. *Id.* at 4–5. She further states the likely impact on small business is minimal because small businesses tend to use the gift cards and generally larger retail chains compete in the sale of gift cards. *Id.* at 5. Also, the impact on the market would be considerably smaller than three percent of the relevant market. *Id.*

Finally, she sees a nexus between the use of gift cards and the use of the mails for sending gift cards because a majority of gift cards purchased at post offices will be mailed. *Id.* at 6–7. The Commission's order authorizing the market test included the condition that the Postal Service report the type of gift cards sold (open or closed loop), within 30 days of the end of the fourth quarter of FY 2011 and semi-annually thereafter: The total and net revenues; volumes, including, separately, volumes sold with greeting cards; attributable costs; and an estimate of the percentage of gift cards mailed (or likely to be mailed). Order No. 721 at 15.[5] The Postal Service complied and filed its periodic reports in support of its claim that a large portion of gift cards are mailed, that their sale can reasonably be classified as an ancillary service, and thus qualifies as a postal service.

The Statement of Supporting Justification relies on the various survey data collected during the market test by the Postal Service both at the Commission's direction and on its own volition. The Postal Service found that 52 percent of the purchased gift cards

[1] Docket No. MT2011–2, Order Granting Extension of Gift Card Market Test, July 19, 2013 (Order No. 1781). The market test was initially authorized by Order No. 721, Order Authorizing Gift Card Market Test, April 28, 2011. Market tests are limited to 24 month's duration with a possible extension not to exceed an additional 12 months. 39 U.S.C. 3641(d).

[2] Request of the United States Postal Service to Add Gift Cards as a New Price Category in the Greeting Cards and Stationery Product, June 9, 2014 (Request).

[3] The Postal Service asserts that during such an interim order, it would not change the limited set of gift cards sold or the locations where the cards are sold. *Id.* at 2 n.3.

[4] Notice of Filing of Nonpublic Library Reference USPS–LR–MC2014–26/NP1, June 9, 2014.

[5] A second condition limited the market test to the sale of gift cards at the Postal Service's retail facilities, including its Web site. *Id.* at 14.

were, or were expected, to be mailed and concluded that every 100 gift cards sold can be expected to generate more than 98 pieces of mail. Request, Attachment B at 8. A separate survey found that 67 percent of purchasers of gift cards believed it would be more convenient to mail gift cards purchased at the post office rather than from another retailer. *Id.* Also, as an alternative to sending cash through the mail, the Statement of Supporting Justification notes the sale of gift cards is very similar to the sale of money orders, long regarded as a postal service. *Id.* at 9. The Statement of Supporting Justification concludes that the selling of gift cards at post offices qualifies as a postal service since sales are ancillary to the delivery of letters and mailable packages. 39 U.S.C. 102(5). *Id.* at 10.

III. Commission Action

Conditional authorization to continue sales. Market tests may be authorized for a total of up to 36 months including a one year extension. 39 U.S.C. 3641(d). Absent an order extending the market test, it must terminate June 27, 2014.[6] The Postal Service indicates that discontinuance of the market test during the pendency of this proceeding would be inefficient as well as inconvenient to gift card customers. To avoid the disruption of service and inconvenience if service is discontinued pending the Commission's review of the Request, the Commission will conditionally approve the addition of Gift Cards to the competitive product list as a price category of the Greeting Cards, Gift Cards, and Stationery competitive product.[7] This interim Order merely preserves the status quo pending the completion of this proceeding. Ample opportunity to submit comments on the Request is being provided. Thus, no person will be prejudiced by this result. Accordingly, any interested person will have an opportunity to be heard and have his/her comments considered by the Commission as part of the record in this proceeding.

Notice of filing. The Commission establishes Docket No. MC2014–26 for consideration of matters raised by the Request. Interested persons may submit comments on whether the Postal Service's filing in the captioned docket is consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR parts 3015 or 3020, subpart B. Comments are due no later than July 3, 2014. Reply comments are due no later than July 17, 2014. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Tracy N. Ferguson to represent the interests of the general public (Public Representative) in this case.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. MC2014–26 for consideration of matters raised by the Postal Service's Request.

2. Pending completion of this proceeding, the Commission conditionally authorizes the proposed product Greeting Cards, Gift Cards, and Stationery as an addition to the competitive product list.

3. Comments of interested persons are due no later than July 3, 2014. Reply comments are due no later than July 17, 2014.

4. Pursuant to 39 U.S.C. 505, Tracy N. Ferguson is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

5. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2014–14445 Filed 6–23–14; 8:45 am]

BILLING CODE 7710–FW–P

[6] The Postal Service recognizes that its June 9 Request was not filed sufficiently in advance of the market test expiration date to provide adequate time for public input and Commission review of its Request. By filing its Request so close to the expiration date of the market test, the Postal Service jeopardizes the continuation of the service. That risk is unnecessary and is easily cured by a timelier filing, a point the Commission has previously made. See Order No. 1781, *supra*, at 3.

[7] The prices for Gift Cards currently charged by the Postal Service will apply during the pendency of this proceeding.

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Rule 15b6–1 and Form BDW; SEC File No. 270–17, OMB Control No. 3235–0018.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 ("PRA") (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for approval of extension of the previously approved collection of information provided for in Rule 15b6–1 (17 CFR 240.15b6–1), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Registered broker-dealers use Form BDW (17 CFR 249.501a) to withdraw from registration with the Commission, the self-regulatory organizations, and the states. On average, the Commission estimates that it would take a broker-dealer approximately one hour to complete and file a Form BDW to withdraw from Commission registration as required by Rule 15b6–1. The Commission estimates that approximately 488 broker-dealers withdraw from Commission registration annually [1] and, therefore, file a Form BDW via the internet with the Central Registration Depository, a computer system operated by the Financial Industry Regulatory Authority, Inc. that maintains information regarding registered broker-dealers and their registered personnel. The 488 broker-dealers that withdraw from registration by filing Form BDW would incur an aggregate annual reporting burden of approximately 488 hours.[2]

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: *www.reginfo.gov*. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov*; and (ii) Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov*. Comments must be submitted to OMB within 30 days of this notice.

[1] This estimate is based on Form BDW data collected over the past three years for fully registered broker-dealers. In fiscal year (from 10/1 through 9/30) 2011, 524 broker-dealers withdrew from registration. In fiscal year 2012, 428 broker-dealers withdrew from registration. In fiscal year 2013, 513 broker-dealers withdrew from registration. (524 + 428 + 513)/3 = 488.

[2] (488 x 1 hour) = 488 hours.

Dated: June 18, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14660 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Rule 203–2 and Form ADV–W; OMB Control No. 3235–0313, SEC File No. 270–40.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the previously approved collection of information discussed below.

The title for the collection of information is "Rule 203–2 (17 CFR 275.203–2) and Form ADV–W (17 CFR 279.2) under the Investment Advisers Act of 1940 (15 U.S.C. 80b)." Rule 203–2 under the Investment Advisers Act of 1940 establishes procedures for an investment adviser to withdraw its registration with the Commission. Rule 203–2 requires every person withdrawing from investment adviser registration with the Commission to file Form ADV–W electronically on the Investment Adviser Registration Depository ("IARD"). The purpose of the information collection is to notify the Commission and the public when an investment adviser withdraws its pending or approved SEC registration. Typically, an investment adviser files a Form ADV–W when it ceases doing business or when it is ineligible to remain registered with the Commission.

The potential respondents to this information collection are all investment advisers registered with the Commission. The Commission has estimated that compliance with the requirement to complete Form ADV–W imposes a total burden of approximately 0.75 hours (45 minutes) for an adviser filing for full withdrawal and approximately 0.25 hours (15 minutes) for an adviser filing for partial withdrawal. Based on historical filings, the Commission estimates that there are approximately 600 respondents annually filing for full withdrawal and approximately 200 respondents annually filing for partial withdrawal. Based on these estimates, the total estimated annual burden would be 500 hours ((600 respondents × .75 hours) + (200 respondents × .25 hours)).

Rule 203–2 and Form ADV–W do not require recordkeeping or records retention. The collection of information requirements under the rule and form are mandatory. The information collected pursuant to the rule and Form ADV–W are filings with the Commission. These filings are not kept confidential. 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 control number.

The public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: June 18, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14661 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

"Investor Form"

SEC File No. 270–485, OMB Control No. 3235–0547

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget a request to approve the collection of information discussed below.

Investors who submit complaints, ask questions, or provide tips do so voluntarily. To make it easier for the public to contact the agency electronically, the Commission created a series of investor complaint and question electronic forms. Investors can access forms through the *SEC Center for Complaints and Enforcement Tips* portal. The Commission consolidated four paper complaint forms into one electronic form (*the Investor Form*) that provides drop down options to choose from in order to categorize the investor's complaint or question, and may also provide the investor with automated information about their issue. The investor may describe their complaint and submit it without their name or contact information.

The Investor Form asks investors to provide information concerning, among other things, their names, how they can be reached, the names of the individuals or entities involved, the nature of their complaint or tip, what documents they can provide, and what, if any, actions they have taken. Use of the Investor Form is strictly voluntary. Moreover, the Commission does not require investors to submit complaints, questions, tips, or other feedback. Absent the forms, the public still has several ways to contact the agency, including telephone, facsimile, letters, and email.

Approximately 20,000 investors each year voluntarily choose to use the complaint and question form. Investors who choose not to use the electronic Investor Form receive the same level of service as those who do. The dual purpose of the form is to make it easier for the public to contact the agency with complaints, questions, tips, or other feedback and to further streamline the workflow of Commission staff that record, process, and respond to investor contacts.

The SEC has used—and will continue to use—the information that investors supply on the complaint and question forms, and the electronic Investor Form to review and process the contact (which may, in turn, involve responding to questions, processing complaints, or, as appropriate, initiating enforcement investigations), to maintain a record of contacts, to track the volume of investor complaints, and to analyze trends.

The Commission estimates that the total reporting burden for using the Investor Form is 5,000 hours. The calculation of this estimate depends on the number of investors who use the forms each year and the estimated time it takes to complete the forms: 20,000 respondents × 15 minutes = 5,000 burden hours.

Members of the public should be aware that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless a currently valid Office of Management and Budget control number is displayed. Background documentation for this information collection may be viewed at the following link, *http://www.reginfo.gov*. General comments regarding the above information should be directed to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or send an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F St. NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov*. Comments must be submitted to OMB within 30 days of this notice.

Dated: June 18, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14662 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 31087; 812–14297]

Northern Lights Fund Trust, et al.; Notice of Application

June 18, 2014.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice of an application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from rule 12d1–2(a) under the Act.

SUMMARY: Summary of Application: Applicants request an order to permit open-end management investment companies relying on rule 12d1–2 under the Act to invest in certain financial instruments.

APPLICANTS: Northern Lights Fund Trust (the "Trust"), Clark Capital Management Group, Inc. ("CLARK") and Northern Lights Distributors, LLC ("NLD").

DATES: *Filing Date:* The application was filed on April 2, 2014, and amended on June 11, 2014.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on July 14, 2014, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090; Applicants: c/o James Ash, Gemini Fund Services, LLC, 80 Arkay Drive, Suite 110, Hauppauge, NY 11788.

FOR FURTHER INFORMATION CONTACT: Deepak T. Pai, Senior Counsel, at (202) 551–6876, or Mary Kay Frech, Branch Chief, at (202) 551–6821 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. The Trust is organized as a Delaware statutory trust and is registered under the Act as an open-end management investment company. CLARK, a Pennsylvania corporation, is registered as an investment adviser under the Investment Advisers Act of 1940 ("Advisers Act"). CLARK currently serves as investment adviser to certain series of the Trust.[1] NLD, a Nebraska limited liability company and a broker-dealer registered under the Securities and Exchange Act of 1934 ("Exchange Act"), serves as the distributor for the Funds (as defined below) that are series of the Trust.

2. Applicants request the exemption to the extent necessary to permit any existing or future series of the Trust and any other existing or future registered open-end management investment company or series thereof that (a) is advised by CLARK or any person controlling, controlled by or under common control with CLARK (any such adviser or CLARK, an "Adviser"); (b) invests in other registered open-end management investment companies ("Underlying Funds") in reliance on section 12(d)(1)(G) of the Act; and (c) is also eligible to invest in securities (as defined in section 2(a)(36) of the Act) in reliance on rule 12d1–2 under the Act (the "Funds"), to also invest, to the extent consistent with its investment objectives, policies, strategies and limitations, in financial instruments that may not be securities within the meaning of section 2(a)(36) of the Act ("Other Investments").[2] Applicants also request that the order exempt any entity controlling, controlled by or under common control with NLD, that now or in the future acts as principal underwriter with respect to the transactions described in the application.

3. Consistent with its fiduciary obligations under the Act, each Fund's board of trustees will review the advisory fees charged by the Fund's Adviser to ensure that they are based on services provided that are in addition to, rather than duplicative of, services provided pursuant to the advisory agreement of any investment company in which the Fund may invest.

Applicants' Legal Analysis

1. Section 12(d)(1)(A) of the Act provides that no registered investment company ("acquiring company") may acquire securities of another investment company ("acquired company") if such securities represent more than 3% of the acquired company's outstanding voting stock or more than 5% of the acquiring company's total assets, or if such securities, together with the securities of other investment companies, represent more than 10% of the acquiring company's total assets. Section 12(d)(1)(B) of the Act provides that no registered open-end investment company may sell its securities to another investment company if the sale will cause the acquiring company to own more than 3% of the acquired company's voting stock, or cause more than 10% of the acquired company's voting stock to be owned by investment companies and companies controlled by them.

2. Section 12(d)(1)(G) of the Act provides, in part, that section 12(d)(1) will not apply to securities of an

[1] Series of the Trust for which CLARK acts as investment adviser are the (i) Navigator Equity Hedged Fund, (ii) Navigator Duration Neutral Municipal Bond Fund, (iii) Navigator Sentry Managed Volatility Fund, and (iv) Navigator Fixed Income Total Return Fund.

[2] All entities that currently intend to rely on the requested order are named as applicants. Any other entity that relies on the order in the future will comply with the terms and condition of the application.

acquired company purchased by an acquiring company if: (i) The acquired company and acquiring company are part of the same group of investment companies; (ii) the acquiring company holds only securities of acquired companies that are part of the same group of investment companies, government securities, and short-term paper; (iii) the aggregate sales loads and distribution-related fees of the acquiring company and the acquired company are not excessive under rules adopted pursuant to section 22(b) or section 22(c) of the Act by a securities association registered under section 15A of the Exchange Act or by the Commission; and (iv) the acquired company has a policy that prohibits it from acquiring securities of registered open-end investment companies or registered unit investment trusts in reliance on section 12(d)(1)(F) or (G) of the Act.

3. Rule 12d1–2 under the Act permits a registered open-end investment company or a registered unit investment trust that relies on section 12(d)(1)(G) of the Act to acquire, in addition to securities issued by another registered investment company in the same group of investment companies, government securities, and short-term paper: (i) Securities issued by an investment company that is not in the same group of investment companies, when the acquisition is in reliance on section 12(d)(1)(A) or 12(d)(1)(F) of the Act; (ii) securities (other than securities issued by an investment company); and (iii) securities issued by a money market fund, when the investment is in reliance on rule 12d1–1 under the Act. For the purposes of rule 12d1–2, "securities" means any security as defined in section 2(a)(36) of the Act.

4. Section 6(c) of the Act provides that the Commission may exempt any person, security, or transaction from any provision of the Act, or from any rule under the Act, if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act. Applicants submit that their request for relief meets this standard.

5. Applicants request an order under section 6(c) of the Act for an exemption from rule 12d1–2(a) to allow the Funds to invest in Other Investments while investing in Underlying Funds. Applicants state that the Funds will comply with rule 12d1–2 under the Act, but for the fact that the Funds may invest a portion of their assets in Other Investments. Applicants assert that permitting the Funds to invest in Other Investments as described in the application would not raise any of the concerns that the requirements of section 12(d)(1) were designed to address.

Applicants' Condition

Applicants agree that any order granting the requested relief will be subject to the following condition:

Applicants will comply with all provisions of rule 12d1–2 under the Act, except for paragraph (a)(2) to the extent that it restricts any Fund from investing in Other Investments as described in the application.

For the Commission, by the Division of Investment Management, under delegated authority.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14659 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting; Notice

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 a Closed Meeting on Thursday, June 26, 2014 at 2:00 p.m.

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.

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), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matter at the Closed Meeting.

Commissioner Piwowar, as duty officer, voted to consider the items listed for the Closed Meeting in closed session.

The subject matter of the Closed Meeting will be:

Settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Adjudicatory matters; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551–5400.

Dated: June 19, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14772 Filed 6–20–14; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72421; File No. SR–ICEEU–2014–07]

Self-Regulatory Organizations; ICE Clear Europe Limited; Notice of Filing of Proposed Rule Change Related to List of Permitted Cover

June 18, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 5, 2014, ICE Clear Europe Limited ("ICE Clear Europe") filed with the Securities and Exchange Commission ("Commission") the proposed rule change described in Items I, II and III below, which Items have been primarily prepared by ICE Clear Europe. ICE Clear Europe filed the proposal pursuant to Section 19(b)(3)(A) of the Act,[3] and Rule 19b–4(f)(4)(ii)[4] thereunder, so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The principal purpose of the change is to limit the use of non-USD collateral for original margin requirements by FCM/BD Clearing Members in connection with customer transactions in the F&O product category.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICE Clear Europe 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. ICE Clear Europe has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of these statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(4)(ii).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the rule change is to limit the use of non-USD collateral for original margin requirements by FCM/BD Clearing Members in connection with customer transactions in the F&O product category, in order to address certain U.S. and E.U. regulatory requirements. Specifically, following implementation of this change, ICE Clear Europe will no longer accept cash or non-cash collateral denominated in currencies other than U.S. dollars to meet original margin requirements for the DCM Customer Account of FCM/BD Clearing Members (also known as the "W" account or "Section 4d(a) account"), which is subject to the segregation requirements of Section 4d(a) and (b) of the Commodity Exchange Act and the Commodity Futures Trading Commission's regulations thereunder.

In addition, in connection with this change, FCM/BD Clearing Members will be required to withdraw non-USD variation margin balances credited to the Section 4d(a) account on a daily basis and cannot use such balances to cover original margin requirements in that account. (On U.S. holidays, margin calls in respect of the Section 4d(a) account will be made in a non-USD currency, but non-USD cash balances must be replaced with USD cash or assets on the following business day.) Various operational changes are required to be made to implement these requirements.

FCM/BD Clearing Members may continue to use eligible non-USD cash and assets to cover proprietary account margin requirements and margin requirements relating to the Non-DCM/Swap Customer Account (also known as the customer secured account or "Rule 30.7" account). The changes described herein will not apply to Clearing Members other than FCM/BD Clearing Members.

ICE Clear Europe proposes to implement the changes on June 10, 2014, subject to completion of regulatory approvals.

ICE Clear Europe is adopting these changes in order to comply with a combination of requirements under the Commodity Exchange Act and rules thereunder and E.U. regulatory requirements which, when implemented, will make it impractical for ICE Clear Europe to hold and invest non-USD original margin balances in the Section 4d(a) account.

ICE Clear Europe believes that the changes described herein are consistent with the requirements of Section 17A of the Act [5] and the regulations thereunder applicable to it, including the standards under Rule 17Ad–22,[6] and are consistent with the prompt and accurate clearance of and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts and transactions, the safeguarding of securities and funds in the custody or control of ICE Clear Europe or for which it is responsible and the protection of investors and the public interest, within the meaning of Section 17A(b)(3)(F) of the Act.[7] ICE Clear Europe believes that limiting original margin for the Section 4d(a) account to USD denominated assets will not adversely affect ICE Clear Europe's financial resources to support clearing of contracts in such account. In particular, ICE Clear Europe is not changing its margin methodology in respect of such account, and does not believe that the change in permitted original margin currency will affect the overall value of its financial resources. ICE Clear Europe is also not changing the size or composition of its F&O Guaranty Fund.

Similarly, ICE Clear Europe does not believe that the change in permitted original margin currency for the Section 4d(a) account will adversely affect its ability to manage the risks of positions in that account. ICE Clear Europe is not altering its risk management policies in connection with this change, and believes that it will be able to manage any incremental currency risk that may arise as a result of the margin change in accordance with its existing risk management policies.

For the reasons noted above, ICE Clear Europe believes that the proposed rule changes are consistent with the requirements of Section 17A of the Act and regulations thereunder applicable to it.

B. Self-Regulatory Organization's Statement on Burden on Competition

ICE Clear Europe does not believe the proposed changes to the rules would have any impact, or impose any burden, on competition not necessary or appropriate in furtherance of the Act. ICE Clear Europe recognizes that the change may impose costs on certain FCM/BD Clearing Members, or their customers, that were previously providing original margin for the Section 4d(a) account in the form of non-USD assets and will now have to provide USD-denominated assets. However, in light of the amounts involved, ICE Clear Europe does not believe the change will significantly burden clearing members or their customers, and further believes that the change is appropriate in light of the regulatory constraints on holding and investment of non-USD original margin for such account discussed above.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed changes to the rules have not been solicited or received. ICE Clear Europe will notify the Commission of any written comments received by ICE Clear Europe.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective upon filing pursuant to Section 19(b)(3)(A) [8] of the Act and Rule 19b–4(f)(4)(ii) [9] thereunder because it effects a change in an existing service of a registered clearing agency that primarily affects the clearing operations of the clearing agency with respect to products that are not securities, including futures that are not security futures, swaps that are not security-based swaps or mixed swaps, and forwards that are not security forwards, and does not significantly affect any securities clearing operations of the clearing agency or any rights or obligations of the clearing agency with respect to securities clearing or persons using such securities-clearing service. 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:

[5] 15 U.S.C. 78q–1.
[6] 17 CFR 240.17Ad–22.
[7] 15 U.S.C. 78q–1(b)(3)(F).
[8] 15 U.S.C. 78s(b)(3)(A).
[9] 17 CFR 240.19b–4(f)(4)(ii).

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*) or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–ICEEU–2014–07 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–ICEEU–2014–07. 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 Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filings will also be available for inspection and copying at the principal office of ICE Clear Europe and on ICE Clear Europe's Web site at *https://www.theice.com/notices/Notices.shtml?regulatoryFilings*.

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ICEEU–2014–07 and should be submitted on or before July 15, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14658 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

[10] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72426; File No. SR–NASDAQ–2014–035]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the AdvisorShares Sunrise Global Multi-Strategy ETF of AdvisorShares Trust

June 18, 2014.

I. Introduction

On April 22, 2014, The NASDAQ Stock Market LLC ("Nasdaq" or the "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act")[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade the shares ("Shares") of the AdvisorShares Sunrise Global Multi-Strategy ETF ("Fund") under Nasdaq Rule 5735. The proposed rule change was published for comment in the **Federal Register** on May 7, 2014.[3] The Commission received no comments on the proposal. On June 5, 2014, Nasdaq filed Amendment No. 1 to the proposal.[4] The Commission is publishing this notice to solicit comments on Amendment No. 1 from interested persons and is approving the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 72077 (May 1, 2014), 79 FR 26283 (May 7, 2014) ("Notice").

[4] In Amendment No. 1, Nasdaq amended the proposed rule change to: (1) Provide that over-the-counter options and structured notes could be among the Fund's other investments, rather than among its primary investments; (2) correct statements regarding the availability of quotation and last-sale information for underlying exchange traded equities, options, and futures; and (3) supplement the information disclosed about the Fund's portfolio holdings, stating: On a daily basis, the Fund will disclose on its Web site the following information regarding each portfolio holding, as applicable to the type of holding: Ticker symbol, CUSIP number or other identifier, if any; a description of the holding (including the type of holding); the identity of the security or other asset or instrument underlying the holding, if any; for options, the option strike price; quantity held (as measured by, for example, par value, notional value or number of shares, contracts or units); maturity date, if any; coupon rate, if any; effective date, if any; market value of the holding; and the percentage weighting of the holding in the Fund's portfolio.

II. Description of the Proposed Rule Change

The Exchange proposes to list and trade the Shares under Nasdaq Rule 5735, which governs the listing and trading of Managed Fund Shares on the Exchange. The Shares will be offered by AdvisorShares Trust ("Trust"). The Trust is registered with the Commission as an investment company.[5] The Fund is a series of the Trust.

AdvisorShares Investments, LLC will be the investment adviser ("Adviser") to the Fund. Sunrise Capital Partners LLC will be the investment sub-adviser ("Sub-Adviser") to the Fund. Foreside Fund Services, LLC will be the principal underwriter and distributor of the Fund's Shares. The Bank of New York Mellon will act as the administrator, accounting agent, custodian, and transfer agent to the Fund.

The Exchange represents that neither the Adviser nor the Sub-Adviser is a broker-dealer or affiliated with a broker-dealer.[6] The Exchange also represents that the Shares will be subject to Nasdaq Rule 5735, which sets forth the initial and continued listing criteria applicable to Managed Fund Shares[7] and that for initial and continued listing, the Fund must be in compliance with Rule 10A–3 under the Act.[8] The Exchange has made the following representations and statements describing the Fund and its investment strategy, including portfolio holdings and investment restrictions.[9]

[5] The Trust has filed a registration statement on Form N–1A ("Registration Statement") with the Commission. *See* Registration Statement on Form N–1A for the Trust filed on October 9, 2013 (File Nos. 333–157876 and 811–22110). In addition, the Commission has issued an order granting certain exemptive relief to the Trust under the 1940 Act. *See* Investment Company Act Release No. 28822 (July 20, 2009) (File No. 812–13677).

[6] *See* Notice *supra* note 3, 79 FR at 26284. The Exchange states that in the event (a) the Adviser or the Sub-Adviser becomes newly affiliated with a broker-dealer or registers as a broker-dealer, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate, if applicable, regarding access to information concerning the composition and/or changes to the portfolio and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio. *See id.*

[7] *See id.* at 26287.

[8] *See* 17 CFR 240.10A–3. *See also* Notice, *supra* note 3 at 26287.

[9] Additional information regarding the Trust, the Fund, and the Shares, investment strategies, investment restrictions, risks, net asset value ("NAV") calculation, creation and redemption procedures, fees, portfolio holdings, disclosure policies, distributions, and taxes, among other information, is included in the Notice and the Registration Statement, as applicable. *See* Notice and Registration Statement, *supra* notes 3 and 5, respectively.

Principal Investments

The Fund's investment objective will be to provide long-term total returns by investing long and short in a variety of asset classes and investment strategies. The Fund will seek to achieve its investment objective by utilizing a diversified multi-asset strategy that invests both long and short, in numerous global markets to gain diversified exposure to equity securities and sectors. To obtain such exposure, the Sub-Adviser will invest in exchange traded funds ("ETFs")[10] and other exchange traded products (together with ETFs, "ETPs"), as well as U.S. treasuries, stock index futures, single stock futures, fixed income futures, currencies and currency futures. To the extent that the Fund invests in ETPs to gain exposure to a particular domestic or global market, the Fund is considered, in part, a "fund of funds."

In seeking to achieve the Fund's investment objective, the Sub-Adviser will employ a proprietary multi-technique strategy that includes trend-following and momentum-utilizing trading methods, pattern recognition methods, and mean reversion methods, among others. The Fund's portfolio will vary greatly over time depending upon the investment opportunities presented by trading models.

The Fund may trade put and call options on securities, securities indices and currencies. The Fund may purchase put and call options on securities to protect against a decline in the market value of the securities in its portfolio or to anticipate an increase in the market value of securities that the Fund may seek to purchase in the future. The Fund may write covered call options on securities as a means of increasing the yield on its assets and as a means of providing limited protection against decreases in its market value. The Fund may purchase and write exchange-listed options.[11]

The Fund may buy and sell futures contracts. The Fund will only enter into futures contracts that are traded on a national futures exchange regulated by the Commodities Futures Trading Commission.[12] The Fund may use futures contracts and related options for bona fide hedging; attempting to offset changes in the value of securities held or expected to be acquired or be disposed of; attempting to gain exposure to a particular market, index or instrument; or other risk management purposes. The Fund may buy and sell index futures contracts with respect to any index that is traded on a recognized exchange.

On a day-to-day basis, the Fund may hold U.S. government issued securities, money market instruments,[13] cash, other cash equivalents, and ETPs that invest in these and other highly liquid instruments to collateralize its derivative positions.

Other Investments

The following investments will make up less than 20% of the Fund assets under normal circumstances.

The Fund may invest in certificates of deposit issued against funds deposited in a bank or savings and loan association. In addition, the Fund may invest in bankers' acceptances, which are short-term credit instruments used to finance commercial transactions. The Fund may purchase and write over-the-counter options.[14]

The Fund also may invest in fixed time deposits, which are bank obligations payable at a stated maturity date and bearing interest at a fixed rate. Additionally, the Fund may invest in commercial paper rated A–1 or A–2 by Standard and Poor's Rating Services or Prime-1 or Prime-2 by Moody's Investors Service, Inc. or, if unrated, judged by the Adviser to be of comparable quality.

The Fund may invest in exchange-traded equity securities, which represent ownership interests in a company or partnership and consist of common stocks, preferred stocks, warrants to acquire common stock, securities convertible into common stock, and investments in master limited partnerships.

The Fund may invest in swap agreements, including, but not limited to, total return swaps, index swaps, and interest rate swaps. If used, swaps could be based on published and readily available reference prices of global equity, currency, fixed income and commodity indices. The Fund may utilize swap agreements in an attempt to gain exposure to the securities in a market without actually purchasing those securities, or to hedge a position. In seeking to establish a position in such instruments, the Fund may use swaps based on published indices, including international indices.

The Fund may invest in structured notes, which are debt obligations that also contain an embedded derivative component with characteristics that adjust the obligation's risk/return profile.[15] Generally, the performance of a structured note will track that of the underlying debt obligation and the derivative embedded within it. The Fund has the right to receive periodic interest payments from the issuer of the structured notes at an agreed-upon interest rate and a return of the principal at the maturity date.

Investment Restrictions

The Fund will not purchase securities of open-end or closed-end investment companies except in compliance with the 1940 Act.

The Fund may invest up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment). The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are invested in illiquid assets. Illiquid assets include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of Section 6 of the Act[16] and the rules and regulations thereunder applicable to a national securities exchange.[17] In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of Section 6(b)(5) of the Act,[18] which requires, among other things, that the Exchange's rules 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 facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market

[10] While the Fund may invest in inverse ETFs, the Fund will not invest in leveraged or inverse leveraged (*e.g.*, 2X or -3X) ETFs. *See* Notice, *supra* note 3, 79 FR at 26284, n.8.

[11] *See* Amendment No. 1, *supra* note 4.

[12] *See* Notice, *supra* note 3, 79 FR at 26284.

[13] The Fund also may invest in shares of money market mutual funds to the extent permitted by the 1940 Act.

[14] *See* Amendment No. 1, *supra* note 4.

[15] *See id.*

[16] 15 U.S.C. 78(f).

[17] In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[18] 15 U.S.C. 78f(b)(5).

and a national market system, and, in general, to protect investors and the public interest. The Commission notes that the Fund and the Shares must comply with the requirements of Nasdaq Rule 5735 to be listed and traded on the Exchange.

The Commission finds that the proposal to list and trade the Shares on the Exchange is consistent with Section 11A(a)(1)(C)(iii) of the Act,[19] which sets forth Congress' finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for, and transactions in, securities. Quotation and last-sale information for the Shares will be available via Nasdaq proprietary quote and trade services, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association plans for the Shares.[20] Quotation and last sale information for any underlying exchange-traded equity will also be available via the quote and trade service of their respective primary exchanges, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association plans.[21] Quotation and last sale information for any underlying exchange-traded options will also be available via the quote and trade service of their respective primary exchanges and through the Options Price Reporting Authority.[22] Quotation and last sale information for any underlying exchange-traded futures contracts will be available via the quote and trade service of their respective primary exchanges.[23] In addition, the Intraday Indicative Value (as defined in Nasdaq Rule 5735(c)(3)) will be based upon the current value of the components of the Disclosed Portfolio (as defined in Nasdaq Rule 5735(c)(2)), will be available on the NASDAQ OMX Information LLC proprietary index data service,[24] and will be updated and widely disseminated and broadly displayed at least every 15 seconds during the Regular Market Session.[25] On each business day, before commencement of trading in Shares in the Regular Market Session on the Exchange, the Fund will disclose on its Web site the Disclosed Portfolio, which will form the basis for the Fund's calculation of NAV at the end of the business day.[26] The NAV of the Fund will be determined once each business day, normally as of the close of trading on the New York Stock Exchange (normally 4:00 p.m. Eastern time).[27] Information regarding market price and volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services.[28] Information regarding the previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers.[29] Intra-day, executable price quotations for the securities and other assets held by the Fund will be available from major broker-dealer firms or on the exchange on which they are traded, as applicable.[30] Intra-day price information will also be available through subscription services, such as Bloomberg, Markit, and Thomson Reuters, which can be accessed by authorized participants and other investors.[31] The Fund's Web site will include a form of the prospectus for the Fund and additional data relating to NAV and other applicable quantitative information.[32]

Further, the Commission believes that the proposal to list and trade the Shares is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately and to prevent trading when a reasonable degree of transparency cannot be assured. The Commission notes that the Exchange will obtain a representation from the issuer of the Shares that the NAV will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time.[33] Further, trading in the Shares will be subject to Nasdaq 5735(d)(2)(D), which sets forth circumstances under which trading in the Shares may be halted.[34] The Exchange may halt trading in the Shares if trading is not occurring in the securities or the financial instruments constituting the Disclosed Portfolio or if other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present.[35] Further, the Commission notes that the Reporting Authority that provides the Disclosed Portfolio must implement and maintain, or be subject to, procedures designed to prevent the use and dissemination of material, non-public information regarding the actual components of the portfolio.[36] The Exchange states that it has a general policy prohibiting the distribution of material, non-public information by its employees.[37] The Exchange states that neither the Adviser nor the Sub-Adviser is a broker-dealer or affiliated with a broker-dealer. The Exchange also states that in the event (a) the Adviser or the Sub-Adviser becomes newly affiliated with a broker-dealer or registers as a broker-dealer, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate regarding access to information concerning the composition of or changes to the portfolio and will be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the portfolio.[38]

In support of this proposal, the Exchange has made representations, including:

(1) The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities.

(2) The Shares will be subject to Nasdaq Rule 5735, which sets forth the initial and continued listing criteria applicable to Managed Fund Shares.

(3) The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions.

(4) Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares.

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[19] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[20] *See* Notice, *supra* note 3, 79 FR at 26287.

[21] *See* Amendment No. 1, *supra* note 4

[22] *See id.*

[23] *See id.*

[24] The Exchange states that the NASDAQ OMX Global Index Data Service is the NASDAQ OMX global index data feed service, and it offers real-time updates, daily summary messages, and access to widely followed indexes and Intraday Indicative Values for exchange-traded funds. *See* Notice, *supra* note 3, 79 FR at 26287.

[25] *See id.*

[26] The Web site information will be publicly available at no charge. *See id.*

[27] *See id.* at 26285.

[28] *See id.* at 26287.

[29] *See id.*

[30] *See id.*

[31] *See id.*

[32] *See id.* at 26289.

[33] *See id.* at 26287.

[34] *See id.*

[35] *See id. See also* Nasdaq Rule 5735(d)(2)(C) (providing additional considerations for the suspension of trading in or removal from listing of Managed Fund Shares on the Exchange). With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares of the Fund. Nasdaq will halt or pause trading in the Shares under the conditions specified in Nasdaq Rules 4120 and 4121, including the trading pauses under Nasdaq Rules 4120(a)(11) and (12). Trading also may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. *See* Notice, *supra* note 3, 79 FR at 20267.

[36] *See* Nasdaq Rule 5735(d)(2)(B)(ii).

[37] *See* Notice, *supra* note 3, 79 FR at 26284.

[38] *See supra* note 6 and accompanying text.

Specifically, the Information Circular will discuss the following: (a) The procedures for purchases and redemptions of Shares in Creation Units (and that Shares are not individually redeemable); (b) Nasdaq Rule 2111A, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in the Shares to customers; (c) how information regarding the Intraday Indicative Value is disseminated; (d) the risks involved in trading the Shares during the Pre-Market and Post-Market Sessions when an updated Intraday Indicative Value will not be calculated or publicly disseminated; (e) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (f) trading information.

(5) Trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and the Financial Industry Regulatory Authority ("FINRA") on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws, and these procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws.

(6) FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and other exchange-traded securities and instruments held by the Fund with other markets and other entities that are members of the Intermarket Surveillance Group ("ISG")[39] and FINRA may obtain trading information regarding trading in the Shares and exchange-traded securities and instruments held by the Fund from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and exchange-traded securities and instruments held by the Fund from markets and other entities that are members of ISG, which includes all U.S. and some foreign securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement.

(7) For initial and continued listing, the Fund must be in compliance with Rule 10A–3 under the Exchange Act.[40]

(8) A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange.

(9) The Fund may invest up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment); will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained; and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are invested in illiquid assets.

This approval order is based on all of the Exchange's representations and description of the Fund, including those set forth above and in the Notice.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning whether Amendment No. 1 is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2014–035 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NASDAQ–2014–035. 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 Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2014–035, and should be submitted on or before July 15, 2014.

V. Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 1

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 1, prior to the thirtieth day after the date of publication of notice in the **Federal Register**. The amendment makes certain corrections regarding the availability of price information for certain exchange-listed portfolio components, lowers the maximum portfolio weighting for OTC options and structured notes, and provides for more robust disclosure regarding the portfolio components. The Commission believes that these changes will improve the ability of market participants to value the Shares. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[41] to approve the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[42] that the proposed rule change (SR–NASDAQ–2014–035), as modified by Amendment No. 1, be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[43]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14694 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

[39] For a list of the current members of ISG, see *www.isgportal.org.*

[40] 17 CFR 240.10A–3.

[41] 15 U.S.C. 78s(b)(2).

[42] 15 U.S.C. 78s(b)(2).

[43] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72425; File No. SR–MSRB–2014–04]

Self-Regulatory Organizations; Municipal Securities Rulemaking Board; Notice of Filing of a Proposed Rule Change Consisting of Proposed Amendments to Rule G–3, on Classification of Principals and Representatives, Numerical Requirements, Testing, Continuing Education Requirements; Rule G–7, on Information Concerning Associated Persons; and Rule G–27, on Supervision

June 18, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act")[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 6, 2014, the Municipal Securities Rulemaking Board (the "MSRB" or "Board") filed with the Securities and Exchange Commission (the "SEC" or "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the MSRB. 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 MSRB is filing with the Commission a proposed rule change consisting of proposed amendments to Rule G–3, on classification of principals and representatives, numerical requirements, testing, continuing education requirements; Rule G–7, on information concerning associated persons; and Rule G–27, on supervision (the "proposed rule change"). The effective date of the proposed rule change will be 60 days following the date of SEC approval.

The text of the proposed rule change is available on the MSRB's Web site at *www.msrb.org/Rules-and-Interpretations/SEC-Filings/2014-Filings.aspx*, at the MSRB'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 MSRB 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 MSRB has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The proposed rule change would: (1) Amend MSRB Rule G–3(a) to limit the scope of permitted activities of a limited representative—investment company and variable contracts products ("Limited Representative") to sales to and purchases from customers of municipal fund securities; (2) eliminate the Financial and Operations Principal ("FINOP") classification, qualification and numerical requirements in MSRB Rule G–3(d); (3) clarify in Supplementary Material .01 to Rule G–3 that references to sales include the solicitation of sales of municipal securities; and (4) make certain technical amendments to (i) re-title Rule G–3 and its subparagraph (a) and define the Limited Representative classification, (ii) reorganize Rules G–3 and G–7(a), and (iii) remove references to the FINOP in Rules G–7 and G–27.

Permissible Activities of a Limited Representative

The proposed rule change would better align the activities permitted of Limited Representatives with the competencies tested in the Limited Representative—Investment Company and Variable Contracts Products Examination ("Series 6 examination") administered by the Financial Industry Regulatory Authority ("FINRA").[3]

MSRB Rule G–3(a) establishes the municipal securities representative professional qualification classification, as well as two sub-classifications: (1) Municipal securities sales limited representative and (2) Limited Representative.

Currently, Limited Representatives are individuals whose activities, with respect to municipal fund securities,[4] may include (1) underwriting or sales; (2) research or investment advice with regard to underwriting or sales; or (3) any other activities that involve communication, directly or indirectly, with public investors with regard to underwriting or sales. Limited Representatives qualify as such by, among other requirements, passing the Series 6 examination.

The proposed rule change would narrow the activities permitted of Limited Representatives exclusively to sales to and purchases from customers of municipal fund securities. The MSRB believes the proposed rule change is appropriate because the Series 6 examination focuses on purchases and sales activities, commensurate with the scope of permissible activities under NASD Rule 1032(b).[5] Individuals engaging in activities other than sales of municipal fund securities should be required to take and pass the Municipal Securities Representative Qualification Examination ("Series 52 exam"), which tests the basic competency to perform the activities described in MSRB Rule G–3(a)(i)(A). As noted above, the limitation proposed by the MSRB is consistent with the approach taken by FINRA. Under NASD Rule 1032(b), individuals who have taken and passed the Series 6 examination may only engage in sales activity related to investment company and variable contracts products. The proposed rule change would harmonize MSRB and FINRA rules by limiting the activities of individuals solely qualified by having passed the Series 6 examination to sales-related activities and, under MSRB rules, exclusively to municipal fund securities sales-related activities.

The MSRB understands that, in practice, the activities of Limited Representatives typically are limited to sales-related activities, rather than investment banking or other activities permitted under Rule G–3(a)(i)(A). Therefore, it is expected that the proposed rule change would have minimal impact on the day-to-day activities of Limited Representatives.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] In a 2013 filing with the SEC, FINRA noted that the Series 6 examination covers four areas that relate to the major job functions of Series 6 limited representatives and are tested by the examination's 100 multiple choice questions. These job functions include (a) having knowledge of regulatory fundamentals and business development (22 questions); (b) evaluating customers' financial information, identifying investment objectives, providing information on investment products, and making suitable recommendations (47 questions); (c) opening, maintaining, transferring and closing accounts and retaining appropriate account records (21 questions); and (d) obtaining, verifying, and confirming customer purchase and sale instructions (10 questions). *See* SEC Release No. 34–70744 (Oct. 23, 2013); 78 FR 64566 (Oct. 29, 2013); File No. SR–FINRA–2013–045 (Oct. 23, 2013).

[4] Under MSRB Rule D–12, "municipal fund security shall mean a municipal security issued by an issuer that, but for the application of Section 2(b) of the Investment Company Act of 1940, would constitute an investment company within the meaning of Section 3 of the Investment Company Act of 1940."

[5] NASD Rule 1032(b) has been incorporated in the FINRA Manual and continues to be referred to as an NASD rule.

Rule G–3 Supplementary Material .01

In addition to limiting the scope of a Limited Representative's activities to sales to and purchases from customers of municipal fund securities, the proposed rule change includes supplementary material clarifying that such activities may include the solicitation of purchases from and sales to customers of municipal fund securities. Market participants have asked whether the term "sales" in Rule G–3 also includes the solicitation of sales. Supplementary Material .01 makes clear that it does. It would apply to all references to sales in the rule and would serve to clarify the permissible activities of municipal securities professionals that are appropriately registered to engage in, or to supervise,[6] sales to and purchases from customers of municipal securities.

Elimination of MSRB's FINOP Requirement

Pursuant to Section 15B(b)(2)(A) of the Act, which authorizes the Board to classify municipal securities dealers and their associated persons, the proposed rule change also would eliminate the MSRB FINOP classification and the requirement that certain dealers designate at least one such principal (collectively referred to herein as the "FINOP requirement").[7] After conducting a review of the professional qualification requirements in Rule G–3, the MSRB has determined that the FINOP requirement in Rule G–3(d) is unnecessary and duplicative of other regulations, such as NASD Rule 1022(b).[8] The responsibilities and duties of FINOPs pertaining to municipal securities are not unique, and FINRA rules establish general responsibilities and duties for such individuals. The MSRB believes that FINRA's regulation of FINOPs is more appropriate in that the core responsibilities of a FINOP pertain to the dealer's financial reports and supervision of the dealer's activities under the financial responsibility rules. Consequently, dealers that are FINRA members and are engaging in municipal securities activities would remain subject to FINRA's registration requirements pertaining to the "Limited Principal-Financial and Operations."[9]

Currently, MSRB Rule G–3(d) requires that every dealer, excluding bank dealers or certain other dealers identified by reference to the SEC net capital rule, designate at least one FINOP, including its chief financial officer.[10] Given the exclusions in the rule, only a limited number of dealers are required by the MSRB to designate an individual as a FINOP, and under Rule G–3(d)(ii) these individuals must be qualified in accordance with FINRA rules. Therefore, individuals seeking qualification as a FINOP must pass the Financial and Operations Principal Qualification Examination ("Series 27 examination") administered by FINRA. The Series 27 examination focuses primarily on financial reporting requirements, net capital requirements, customer protection rules, and other regulations relevant to the role of a chief financial officer or similar financial officer at an investment firm. The examination tests few concepts specifically related to MSRB rules or municipal securities, and the MSRB believes that adding additional municipal securities content to the examination would likely be at odds with regulatory priorities.

Furthermore, while the FINOP requirement would be eliminated in Rule G–3 by the proposed rule change, a dealer's municipal securities principal would remain responsible for supervising its municipal securities activities, including its operations (such as processing, clearance and safekeeping of municipal securities), pursuant to Rule G–3(b)(i) and G–27(b)(ii)(C). The MSRB believes that the municipal securities principal requirement ensures sufficient oversight of the operations activities of dealers pertaining to municipal securities transactions.

Technical and Conforming Amendments

In order to clarify certain MSRB rules and to conform other rules to the rules amended by the proposed rule change, the MSRB is proposing several technical amendments.

First, the MSRB is proposing to simplify the title of Rule G–3 by changing it to the more self-explanatory: "Professional Qualification Requirements."

Second, the heading of Rule G–3(a) would be changed to incorporate the Limited Representative classification. Paragraph (a)(i)(C) of Rule G–3 would be added to define the Limited Representative classification, and paragraph (a)(ii)(C) would be renumbered as new paragraph (a)(ii)(B)(3), with slight modification to make it consistent with paragraph (a)(i)(C). Also, the introductory paragraph preceding Rule G–3(a) would be amended to eliminate the reference to the FINOP while also adding references to municipal securities sales limited representatives, limited representative—investment company and variable contracts products, and municipal fund securities limited principals so that it is clear that these individuals must meet the applicable requirements established by Rule G–3 to be properly qualified. The MSRB believes that these non-substantive changes will provide clarity and promote a better understanding of MSRB rules.

Third, Rule G–7(a) would be amended to add Limited Representatives and general securities principals to the list of associated persons. Limited Representatives are properly classified as associated persons because they are permitted to effect transactions in municipal fund securities as discussed above. General securities principals are associated persons for purposes of the rule as well because they are permitted to supervise certain municipal securities activities under Rule G–27(b)(ii)(C). This amendment would be non-substantive because such individuals are currently deemed associated persons by virtue of the activities they are currently conducting.

Fourth, the MSRB proposes to delete Rule G–3(g)(ii), waiver of qualification requirements with respect to the FINOP, as such an exemption would be rendered moot by the elimination of the FINOP classification.

Finally, the proposed rule change would make conforming changes by

[6] Supplementary Material .01 would clarify that municipal securities principals or municipal securities sales principals may supervise the solicitation of sales to and purchases from customers of municipal securities. Further, Municipal Fund Securities Limited Principals may supervise the solicitation of sales to and purchases from customers of municipal fund securities.

[7] MSRB Rule G–3(b)(iii) sets forth the numerical requirements for municipal securities principals.

[8] NASD Rule 1022(b)(2) provides that the duties of a "Limited Principal—Financial and Operations" include: "(A) final approval and responsibility for the accuracy of financial reports submitted to any duly established securities industry regulatory body; (B) final preparation of such reports; (C) supervision of individuals who assist in the preparation of such reports; (D) supervision of and responsibility for individuals who are involved in the actual maintenance of the member's books and records from which such reports are derived; (E) supervision and/or performance of the member's responsibilities under all financial responsibility rules promulgated pursuant to the provisions of the Act; (F) overall supervision of and responsibility for the individuals who are involved in the administration and maintenance of the member's back office operations; or (G) any other matter involving the financial and operational management of the member." MSRB Rule G–3(d)(i) describes substantially similar duties for a MSRB FINOP.

[9] These rules include NASD Rules 1021(e) and 1022(b).

[10] MSRB Rule G–3(d)(i) excludes from the financial and operations principal requirement, any "bank dealer or a broker, dealer or municipal securities dealer meeting the requirements of subparagraph (a)(2)(iv), (v) or (vi) of rule 15c3–1 under the Act or exempted from the requirements of Rule 15c3–1 in accordance with paragraph (b)(3) thereof."

eliminating all references in MSRB rules to the FINOP. Specifically, the MSRB is proposing to remove references to the FINOP in MSRB Rule G–27 and Rule G–7.

2. Statutory Basis

The MSRB believes that the proposed rule change is consistent with Section 15B(b)(2)(A) of the Act,[11] which provides that the MSRB's rules shall:

> provide that no municipal securities broker or municipal securities dealer shall effect any transaction in, or induce or attempt to induce the purchase or sale of, any municipal security, and no broker, dealer, municipal securities dealer, or municipal advisor shall provide advice to or on behalf of a municipal entity or obligated person with respect to municipal financial products or the issuance of municipal securities, unless such municipal securities broker or municipal securities dealer meets such standards of operational capability and such municipal securities broker or municipal securities dealer and every natural person associated with such municipal securities broker or municipal securities dealer meet such standards of training, experience, competence, and such other qualifications as the Board finds necessary or appropriate in the public interest or for the protection of investors and municipal entities or obligated persons. In connection with the definition and application of such standards the Board may—
>
> (i) appropriately classify municipal securities brokers, municipal securities dealers, and municipal advisors (taking into account relevant matters, including types of business done, nature of securities other than municipal securities sold, and character of business organization), and persons associated with municipal securities brokers, municipal securities dealers, and municipal advisors;
>
> (ii) specify that all or any portion of such standards shall be applicable to any such class; and
>
> (iii) require persons in any such class to pass tests administered in accordance with subsection (c)(7) of this section.

As discussed above, the proposed rule change would reduce regulatory duplication and improve market efficiencies by eliminating the FINOP requirement. The MSRB believes that the protection afforded to investors and other market participants will not be eroded by the proposed rule change because FINRA has a substantially similar classification for dealers that are FINRA members and dealers that are FINRA members and are engaging in municipal securities activities would remain subject to FINRA's registration requirement pertaining to the "Limited Principal-Financial and Operations." Further, municipal securities principals would continue to be responsible for the overall supervision of the municipal securities activities of dealers.

In addition, the MSRB believes that the proposed rule change is consistent with Section 15B(b)(2)(C) of the Act,[12] which provides that the MSRB's rules shall:

> 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 municipal securities and municipal financial products, to remove impediments to and perfect the mechanism of a free and open market in municipal securities and municipal financial products, and, in general, to protect investors, municipal entities, obligated persons, and the public interest.

The MSRB believes that limiting the permissible activities of Limited Representatives to sales to and purchases from customers of municipal fund securities better aligns the responsibilities of Limited Representatives with the competencies tested in the Series 6 examination. Furthermore, the proposed rule change would result in consistent regulatory treatment of Limited Representatives by the MSRB and FINRA, thereby reducing potential dealer confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

The MSRB does not believe that the proposed rule change would impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act since it would apply equally to all dealers. In addition, the MSRB believes, as discussed above, that the proposed rule change will ease burdens on dealers and reduce compliance costs by clarifying dealer obligations and eliminating regulatory redundancy. Also, the MSRB believes that the restriction on permissible Limited Representative activities will have a minimal impact on Limited Representatives because the MSRB understands that Limited Representatives do not typically engage in activities other than customer sales-related activity.

The MSRB notes that several commenters indicate that the proposed rule change would likely improve the municipal securities market and its efficient operation, and that potential burdens created by the proposed rule change are to be likely outweighed by the benefits, as further discussed below.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were not solicited for the proposed rule change. However, in response to an MSRB request for comment on a separate rule proposal,[13] the MSRB invited comment on the elements of the proposed rule change. The MSRB received six letters that reference the proposed rule change.[14]

Following are summaries of the comment letters:

- Support and Potential Cost for Limiting the Activities of Limited Representatives

SIFMA, BDA, FSI, NSCP and ICI express support for limiting the activities of Limited Representatives to sales to and purchases from customers of municipal fund securities. In expressing its support for the proposed rule change, BDA states that the proposed rule change would harmonize the MSRB's rules with FINRA's rules "so that both sets of rules are straightforward, understandable, and manageable by compliance and enforcement staff." ICI echoes the BDA's sentiment that the proposed rule change would add consistency between MSRB and FINRA rules on the permissible activities of Limited Representatives. FSI states that it "supports efforts by the MSRB and other regulators that seek to increase efficiency." NSCP writes that the proposed rule change "is an appropriate change which will reduce confusion as to the appropriate activities to be engaged in by [Limited Representatives]. Finally, SIFMA expresses its support for modifying the scope of permissible activities of Limited Representatives. However, while supportive of the proposed rule change, BDA also states that limiting the permissible activities of Limited Representatives may result in additional costs to MSRB registrants. Specifically, BDA cautions that compliance with the proposed rule change may require MSRB registrants to expend resources on "updating, redrafting and establishing written supervisory procedures" and hiring additional personnel to perform the now

[11] 15 U.S.C. 78o–4(b)(2)(A).

[12] 15 U.S.C. 78o–4(b)(2)(C).

[13] *See* MSRB Notice 2013–22 (Dec. 13, 2013) (the "December Notice").

[14] Comment letters referencing the proposed rule change were received from: Bond Dealers of America ("BDA"); Financial Services Institute ("FSI"); Investment Company Institute ("ICI"); The National Society of Compliance Professionals ("NSCP"); Securities Industry and Financial Markets Association ("SIFMA"); and Wulff, Hansen & Co. ("Wulff").

prohibited activities of Limited Representatives.

In formulating the proposed rule change the MSRB considered the potential costs and benefits to MSRB registrants, the municipal securities market and investors. The MSRB believes that the benefits of the proposed rule change outweigh the potential costs, given that FINRA already limits the activity of individuals who are registered by virtue of having passed the Series 6 examination to customer sales activity related to investment company and variable contract products. It is unlikely that such individuals were engaged in activities other than sales of municipal fund securities. The MSRB believes that establishing consistency between MSRB and FINRA professional qualification rules pertaining to the activities of Limited Representatives will make it easier for dealers to monitor and supervise the activities of such individuals and, hence, will promote efficiency. Moreover, the Series 6 examination focuses on customer sales-related activities, rather than activities such as investment banking. The MSRB believes the proposed rule change will better protect investors by aligning the permitted activities of a Limited Representative to the basic competencies tested by the Series 6 examination.

• Support for Eliminating FINOP Requirement

SIFMA, NSCP, ICI and Wulff also support the elimination of the FINOP requirement. NSCP and Wulff state that each is in support of rule changes that eliminate redundant regulatory requirements. In expressing its support for the proposed rule change, ICI states that it "commends the MSRB for its interest in avoiding unnecessary regulatory costs and duplication and proposing this amendment in furtherance of such interest."

• Request for Clarification of Permitted Activities of Limited Representatives

NSCP seeks clarification that the 'limited representative' referenced in the December Notice is the 'limited representative' that is qualified by virtue of having taken and passed the Series 6 examination.

The reference to Limited Representative in the December Notice is a reference to individuals qualified by virtue of having taken and passed the Series 6 examination. The text of the proposed rule change has been amended to clarify the permitted activities of a Limited Representative.

• Suggestions for Additional Clarification of Rule G–3(a)(ii)

ICI suggests that the MSRB amend Rule G–3(a)(ii) to expressly state that Limited Representatives are permitted to engage in the solicitation of sales to and purchases from customers of municipal fund securities.

The MSRB has included Supplementary Material .01 in the proposed rule change to clarify that the reference in Rule G–3 to sales to and purchases from customers also includes the solicitation of sales to and purchases from customers and the supervision of the solicitation of sales to and purchases from customers.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period of up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

• Use the Commission's Internet comment form *http://www.sec.gov/rules/sro.shtml;* or

• Send an email to *rule-comments@sec.gov.* Please include File Number SR–MSRB–2014–04 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

All submissions should refer to File Number SR–MSRB–2014–04. 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 Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site 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 MSRB. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MSRB–2014–04 and should be submitted on or before July 15, 2014.

For the Commission, pursuant to delegated authority.[15]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14655 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72422; File No. SR–NYSEArca–2014–46]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Fidelity Investment Grade Bond ETF; Fidelity Limited Term Bond ETF; and Fidelity Total Bond ETF Under NYSE Arca Equities Rule 8.600

June 18, 2014.

On April 16, 2014, NYSE Arca, Inc. ("Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the following funds under NYSE Arca Equities Rule 8.600, which governs the listing and

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

trading of Managed Fund Shares: the Fidelity Investment Grade Bond ETF; Fidelity Limited Term Bond ETF; and Fidelity Total Bond ETF. On April 30, 2014, the Exchange filed Amendment No. 1 to the proposed rule change, which amended and replaced the proposed rule change in its entirety. The proposed rule change was published for comment in the **Federal Register** on May 6, 2014.[3] The Commission has not received any comments on the proposed rule change.

Section 19(b)(2) of the Act[4] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates August 4, 2014, as the date by which the Commission shall either approve or disapprove or institute proceedings to determine whether to disapprove the proposed rule change (File Number SR–NYSEArca–2014–46).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14656 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

[3] *See* Securities Exchange Act Release No. 72064 (May 1, 2014), 79 FR 25908.

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72418; File No. SR–MIAX–2014–23]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 515A

June 18, 2014.

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 June 5, 2014, Miami International Securities Exchange LLC ("MIAX" 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 is filing a proposal to amend Exchange Rule 515A.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX'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 Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange adopted Rule 515A to establish a price improvement auction ("PRIME Auction") and a solicited order mechanism ("Solicitation Auction").[3] The Exchange has identified several additional enhancements to the functionality that the Exchange believes should be included in the Rules prior to deployment of the new PRIME Auction and Solicitation Auction functionality. The Exchange proposes to amend Exchange Rules 515A accordingly.

The Exchange proposes to amend Rule 515A(a)(2)(ii)(B) and Rule 515A(b)(2)(ii)(B) in order to provide that the PRIME Auction and Solicitation Auction will conclude upon the receipt by the System of an unrelated order (in the same option as the Agency Order) on the opposite side of the market from the RFR responses, that is marketable against either the NBBO, the initiating price,[4] or the RFR responses. In addition, the Exchange proposes to separately provide in amended Rule 515A(a)(2)(ii)(C) and Rule 515A(b)(2)(ii)(C) that the PRIME Auction and Solicitation Auction will conclude upon the receipt by the System of an unrelated order (in the same option as the Agency Order) on the same side of the market as the RFR responses, that is marketable against the NBBO. Currently, the Rules state that the PRIME Auction and a Solicitation Auction will conclude upon the receipt by the System of an unrelated order on the same side or opposite side of the market from the RFR responses, that is marketable against either the MBBO (when such quote is the NBBO) or the RFR responses.[5] The proposed change will add the initiating price of the Auction as an additional trigger to cause the early termination of an Auction upon the receipt of an unrelated order on the opposite side of the market from the RFR responses. The proposed change will also use the NBBO as a trigger to cause the early termination of an Auction in lieu of the MBBO when such quote is the NBBO. In addition, the proposed change will restructure the Rules so that the treatment of same side and opposite side unrelated orders are described in separate provisions in order to provide additional clarity and reduce the potential for confusion on behalf of market participants. The Exchange proposes to make these enhancements to further ensure that the PRIME Auction and Solicitation Auction will work seamlessly with the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release Nos. 71640 (March 4, 2014), 79 FR 13334 (March 10, 2014) (SR–MIAX–2014–09) ("Notice"); 72009 (April 23, 2014), 79 FR 24032 (April 29, 2014) (SR–MIAX–2014–09).

[4] The "initiating price" is the stopped price specified by the Initiating Member on the Agency Order. *See* Rule 515A(a)(2)(i)(A).

[5] *See* Rules 515A(a)(2)(ii)(B) and 515A(b)(2)(ii)(B). *See also* CBOE Rules 6.74A(b)(2) and 6.74B(b)(2).

Exchange's Book in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange. The Exchange believes that by using such additional reasons for terminating an Auction early will improve the interaction between the Auction and the Exchange's Book and the national market system.

The following examples show how the proposed amendments described above would affect the outcome of the PRIME Auction.

Example 1—Early Conclusion of Auction, limit order on the same side of the market as RFR Responses that is marketable against NBBO at the time of arrival

NBBO = $1.20–$1.24 200 × 100
BBO = $1.20–$1.24 100 × 100
Agency Order to buy 50 contracts with a limit of $1.24
Initiating Member's Contra Order selling 50 contracts with a stop price of $1.24
RFR sent identifying the option, side and size, initiating price of $1.24 (Auction Starts)
- @ 200 milliseconds MM3 response received, AOC eQuote to Sell 50 at $1.22
- @ 210 milliseconds MM1 response received, AOC eQuote to Sell 50 at $1.22
- @ 230 milliseconds MM4 response received, AOC eQuote to Sell 50 at $1.23
- @ 400 milliseconds BD1 Unrelated Order received Sell 10 at $1.20 (Opposite-side order marketable against the NBB causes an early conclusion to the Auction)

Under this scenario, the Agency Order would be executed as follows:

1. 10 contracts trade with the unrelated order for BD1 @ $1.21(midpoint of the best RFR response of $1.22 and the opposite side of the market from the RFR response of $1.20)
2. 20 contracts trade with MM3 @ $1.22
3. 20 contracts trade with MM1 @ $1.22 (This fills the entire Agency Order)
4. MM4 does not trade any contracts
5. Contra Order does not trade any contracts

Example 2—Early Conclusion of Auction, limit order on the same side of the market as RFR Responses that is marketable against NBBO at the time of arrival

NBBO = $1.20–$1.24 200 × 100
BBO = $1.18–$1.26 100 × 100
Agency Order to buy 50 contracts with a limit of $1.24
Initiating Member's Contra Order selling 50 contracts with a stop price of $1.24
RFR sent identifying the option, side and size, initiating price of $1.24 (Auction Starts)
- @ 200 milliseconds MM3 response received, AOC eQuote to Sell 50 at $1.22
- @ 210 milliseconds MM1 response received, AOC eQuote to Sell 50 at $1.22
- @ 230 milliseconds MM4 response received, AOC eQuote to Sell 50 at $1.23
- @ 400 milliseconds BD1 Unrelated Order received Sell 10 at $1.20 (Opposite-side order marketable against the NBB causes an early conclusion to the Auction)

Under this scenario, the Agency Order would be executed as follows:

1. 10 contracts trade with the unrelated order for BD1 @ $1.21(midpoint of the best RFR response of $1.22 and the opposite side of the market from the RFR response of $1.20)
2. 20 contracts trade with MM3 @ $1.22
3. 20 contracts trade with MM1 @ $1.22 (This fills the entire Agency Order)
4. MM4 does not trade any contracts
5. Contra Order does not trade any contracts

In Example 1, since the MBBO is the same as the NBBO, the outcome of the PRIME Auction will be identical under the proposal as the current approved Rule.[6] However, in Example 2, under the proposal, the PRIME Auction terminates early upon the receipt of the unrelated order that is marketable against the NBBO, but not the MBBO. In contrast, in Example 2 under the current approved Rule, the PRIME Auction would not have terminated early upon the receipt of the unrelated order that is marketable against the NBBO and could have continued another 100 milliseconds.[7]

Example 3—Early Conclusion of Auction, IOC marketable against either side of NBBO at time of arrival

NBBO = $1.20–$1.24 200 × 200
BBO = $1.20–$1.24 100 × 100
Agency Order to buy with a limit price of $1.22 for 20 contracts
Initiating Member's Contra Order selling 20 contracts at $1.22
RFR sent identifying the option, side and size, with initiating price of $1.22 (Auction Starts)
- @ 100 milliseconds MM3 response received, AOC eQuote to Sell 20 at $1.22
- @ 210 milliseconds MM1 response received, AOC eQuote to Sell 20 at $1.22
- @ 330 milliseconds MM4 response received, AOC eQuote to Sell 20 at $1.22
- @ 400 milliseconds C1 Unrelated IOC Order received Buy 100 at $1.24 (Same side IOC order to buy marketable against the NBO causes the Auction to conclude early)

Under this scenario, the Agency Order would be executed as follows:

1. 8 contracts trade with the Contra Order @ $1.22 (This satisfies their 40% participation guarantee)
2. 4 contracts trades with MM3 @ $1.22
3. 4 contracts trades with MM1 @ $1.22
4. 4 contracts trade with MM4 @ $1.22 (This fills the entire Agency Order)
5. C1 unrelated IOC order then executes as follows:
   a. 16 contracts trade with MM3 @ $1.22
   b. 16 contracts trade with MM1 @ $1.22
   c. 16 contracts trade with MM4 @ $1.22
   d. Remaining 52 contracts then executes with the posted market at the Exchange's $1.24 BO

Example 4—Early Conclusion of Auction, IOC marketable against either side of NBBO at time of arrival

NBBO = $1.20–$1.24 200 × 200
BBO = $1.18–$1.26 100 ×× 100
Agency Order to buy with a limit price of $1.22 for 20 contracts
Initiating Member's Contra Order selling 20 contracts at $1.22
RFR sent identifying the option, side and size, with initiating price of $1.22 (Auction Starts)
- @ 100 milliseconds MM3 response received, AOC eQuote to Sell 20 at $1.22
- @ 210 milliseconds MM1 response received, AOC eQuote to Sell 20 at $1.22
- @ 330 milliseconds MM4 response received, AOC eQuote to Sell 20 at $1.22
- @ 400 milliseconds C1 Unrelated IOC Order received Buy 100 at $1.24 (Same side IOC order to buy marketable against the NBO causes the Auction to conclude early)

Under this scenario, the Agency Order would be executed as follows:

1. 8 contracts trade with the Contra Order @ $1.22 (This satisfies their 40% participation guarantee)
2. 4 contracts trades with MM3 @ $1.22
3. 4 contracts trades with MM1 @ $1.22
4. 4 contracts trade with MM4 @ $1.22 (This fills the entire Agency Order)
5. C1 unrelated IOC order then executes as follows:
   a. 16 contracts trade with MM3 @ $1.22
   b. 16 contracts trade with MM1 @ $1.22
   c. 16 contracts trade with MM4 @ $1.22
   d. Remaining 52 contracts are then canceled

Similarly, in Example 3, since the MBBO is the same as the NBBO, the outcome of the PRIME Auction will be identical under the proposal as the current approved Rule.[8] However, in Example 4, under the proposal, the PRIME Auction terminates early upon the receipt of the unrelated order that is marketable against the NBBO, not the MBBO. In contrast, in Example 4 under the current approved Rule, the PRIME Auction would not have terminated early upon the receipt of the unrelated order that is marketable against the NBBO and could have continued another 100 milliseconds.[9]

As mentioned above, in Examples 2 and 4, the PRIME Auctions could have continued for another 100 milliseconds under the current approved rule, with the potential for additional price improvement beyond the NBBO to the MBBO. However, there is no guarantee that the market would not move to the detriment of the Agency Order, providing no additional price improvement. In other words, if market prices moved away from the Agency Order's price and better prices for the

[6] *See* Notice, *supra* note 3, Example 17. *See* Rule 515A(a)(2)(ii)(B).

[7] *See* Rule 515A(a)(2)(ii)(B).

[8] *See* Notice, *supra* note 3, Example 24.

[9] *See* Rule 515A(a)(2)(ii)(D).

Member's trading interest exist outside the PRIME Auction, Members might be unwilling to continue to provide additional price improvement even if the PRIME Auction continued. Further, the marketable unrelated order could have also executed prior to the end of the Auction Period, thus reducing the potential price improvement for the Agency Order which would be left to execute against any remaining RFR Responses or the initiating member's stop price. Under the proposal, the unrelated order benefits from receiving an execution sooner than anticipated against liquidity that they may not have known was there at the time. The Exchange believes that the benefits of terminating the PRIME Auction early for both the Agency Order and the marketable unrelated order outweigh any marginal loss of opportunity from terminating at the NBBO versus the MBBO.

The following examples show how the proposed amendments to terminate the PRIME Auction and Solicitation Auction early upon the receipt of an unrelated order on the opposite side of the market from the RFR Responses that is marketable against the initiating price would affect the outcome of the PRIME Auction and Solicitation Auction.

Example 5—Early Conclusion of Auction, limit order on the opposite side of the market from RFR Responses improves initiating price

NBBO = $1.20–$1.24 200 × 200
BBO = $1.20–$1.24 100 × 100
Agency Order to buy 20 contracts with a limit price of $1.22
Initiating Member's Contra Order selling 20 contracts at $1.22
RFR sent identifying the option, side and size, with an initiating price of $1.22
(Auction Starts)

- @ 300 milliseconds MM3 response received, AOC eQuote to Sell 20 at $1.22
- @ 310 milliseconds MM1 response received, AOC eQuote to Sell 20 at $1.22
- @ 430 milliseconds MM4 response received, AOC eQuote to Sell 20 at $1.22
- @ 450 milliseconds C1 Unrelated Order received Buy 100 at $1.23 (limit order to buy on the opposite side of the market from RFR Responses that improves (i.e., is priced higher than) the Agency Order's initiating price causes the Auction to conclude early)

Under this scenario, the Agency Order would be executed as follows:

1. 8 contracts trade with the Contra Order @ $1.22 (This satisfies their 40% participation guarantee)
2. 4 contracts trades with MM3 @ $1.22
3. 4 contracts trades with MM1 @ $1.22
4. 4 contracts trade with MM4 @ $1.22 (This fills the entire Agency Order)
5. C1 unrelated order then executes as follows:
   a. 16 contracts trade with MM3 @ $1.22
   b. 16 contracts trade with MM1 @ $1.22
   c. 16 contracts trade with MM4 @ $1.22
   d. Remaining contracts post to the Book as new BB paying $1.23 for 52 contracts

Example 6—Early Conclusion of Auction, limit order on the opposite side of the market from RFR Responses matches the initiating price

NBBO = $1.20–$1.24 200 ×200
BBO = $1.20–$1.24 100 × 100
Agency Order to buy 20 contracts with a limit price of $1.22
Initiating Member's Contra Order selling 20 contracts at $1.22
RFR sent identifying the option, side and size, with an initiating price of $1.22
(Auction Starts)

- @ 300 milliseconds MM3 response received, AOC eQuote to Sell 20 at $1.22
- @ 310 milliseconds MM1 response received, AOC eQuote to Sell 20 at $1.22
- @ 430 milliseconds MM4 response received, AOC eQuote to Sell 20 at $1.22
- @ 450 milliseconds C1 Unrelated Order received Buy 100 at $1.22 (limit order to buy on the opposite side of the market from RFR Responses that matches the Agency Order's initiating price causes the Auction to conclude early)

Under this scenario, the Agency Order would be executed as follows:

1. 8 contracts trade with the Contra Order @ $1.22 (This satisfies their 40% participation guarantee)
2. 4 contracts trades with MM3 @ $1.22
3. 4 contracts trades with MM1 @ $1.22
4. 4 contracts trade with MM4 @ $1.22 (This fills the entire Agency Order)
5. C1 unrelated order then executes as follows:
   a. 16 contracts trade with MM3 @ $1.22
   b. 16 contracts trade with MM1 @ $1.22
   c. 16 contracts trade with MM4 @ $1.22
   d. Remaining contracts post to the Book as new BB paying $1.22 for 52 contracts

Example 7—Solicitation Auction—Customer gets price improved for AON size, unrelated order on the opposite side of the market from RFR Responses ends auction and trades vs. responses

XYZ Jan 50 Calls
NBBO—1.10–1.25
BBO—1.10–1.30
Paired order to execute 2000 contracts AON (customer selling) @ 1.10
A RFR is broadcast to all subscribers showing option, size, side, and price; timer is started
System starts the auction at the Initiating Customer price to sell @ 1.10

- @ 100 milliseconds Response 1 to buy @ 1.10 2000 AOC order arrives
- @ 200 milliseconds Response 2 to buy @ 1.10 2000 AOC order arrives
- @ 220 milliseconds Response 3 to buy @ 1.10 5000 AOC order arrives
- @ 332 milliseconds Response 4 to buy @ 1.20 1000 AOC order arrives
- @ 400 milliseconds Response 5 to buy @ 1.15 2000 AOC order arrives
- @ 450 milliseconds, unrelated same side order arrives selling 100 @ 1.10—(limit order to sell on the opposite side of the market from RFR Responses that is marketable against Initiating Price or RFR responses causes the Auction to conclude early)

Trade is allocated against Initiating Customer:

1. 1000 trade vs. Response 4 @ 1.20
2. 1000 trade vs. Response 5 @ 1.15
3. Solicited contra does not participate because entire size was price improved
4. Unrelated same side order trades 100 vs. Response 5 @ 1.15; balance of response size is cancelled

In Examples 5, 6,[10] and 7, the outcome of both the PRIME Auction and Solicitation Auction will be identical under the proposal as the current approved Rule.[11] The Exchange notes that there will be no impact on the allocation or priority.

The Exchange proposes to amend Rule 515A(a)(2)(ii) and Rule 515A(b)(2)(ii) to provide that the PRIME Auction and Solicitation Auction will conclude any time an RFR response matches the NBBO on the opposite side of the market from RFR responses. Currently, the Rules state that the PRIME Auction will conclude any time an RFR response matches the MBBO on the opposite side of the market from the RFR responses.[12] The proposed change will use the NBBO as a trigger to cause the early termination of an Auction in lieu of the MBBO. The Exchange proposes to make this enhancement to further ensure that the PRIME Auction and Solicitation Auction will work seamlessly with the national market system in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange. The Exchange believes that by using the NBBO instead of the MBBO as a reason for terminating an Auction early will improve the interaction between the Auction and the national market system.

The following examples show how the proposed amendments to use the NBBO as a trigger to cause the early termination of an Auction in lieu of the

[10] The Commission notes that with respect to Examples 5 and 6, while the outcome of the PRIME auction is the same under the proposal as under the current Rule, the cause of early termination under the proposal differs from the current Rule. Under the current Rule, the PRIME auctions in Examples 5 and 6 would end early due to the receipt of an unrelated order on the same side of the market as the Agency Order that is marketable against an RFR response. *See* Rule 515A(a)(2)(ii)(B). However, under the amended Rule, the PRIME auctions would end early due to the receipt of an unrelated order on the same side as the Agency Order that is marketable against either the RFR responses *or* the initiating price. *See* amended Rule 515A(a)(2)(ii)(B). In both examples, the best RFR response matches the initiating price.

[11] *See* Notice, *supra* note 3, Examples 23 and 28.

[12] *See* Rules 515A(a)(2)(ii) and 515A(b)(2)(ii). *See also* CBOE Rules 6.74A(b)(2) and 6.74B(b)(2).

MBBO would affect the outcome of the PRIME Auction.

Example 8—Single Price Submission, priority customer order on the Book on the same side locks the final Auction Price

NBBO = $1.15–$1.25 200 × 200
BBO = $1.15–$1.25 100 × 100
Agency Order to buy 50 contracts with a limit price of $1.20
Initiating Member's Contra Order selling 50 contracts with a single stop price of $1.20
RFR sent identifying the option, side and size, with initiating price of $1.20
(Auction Starts)
- @ 110 milliseconds MM1 response received, AOC eQuote to Sell 10 at $1.22
- @ 230 milliseconds MM4 response received, AOC eQuote to Sell 50 at $1.15 (response matches the opposite side NBB causes the Auction to conclude early)

Under this scenario the Agency Order would be executed as follows:

1. 50 contracts trade with MM4 @ $1.15 (This fills the entire Agency Order and Contra Order does not receive an execution)

Example 9—Single Price Submission, priority customer order on the Book on the same side

NBBO = $1.15–$1.25 200 × 200
BBO = $1.14–$1.25 100 × 100
Agency Order to buy 50 contracts with a limit price of $1.20
Initiating Member's Contra Order selling 50 contracts with a single stop price of $1.20
RFR sent identifying the option, side and size, with initiating price of $1.20
(Auction Starts)
- @ 110 milliseconds MM1 response received, AOC eQuote to Sell 10 at $1.22
- @ 230 milliseconds MM4 response received, AOC eQuote to Sell 50 at $1.15 (response matches the opposite side NBB causes the Auction to conclude early)

Under this scenario the Agency Order would be executed as follows:

1. 50 contracts trade with MM4 @ $1.15 (This fills the entire Agency Order and Contra Order does not receive an execution)

In Example 8, since the MBBO is the same as the NBBO, the outcome of the PRIME Auction will be identical under the proposal as the current approved Rule.[13] However, in Example 9, under the proposal, the PRIME Auction terminates early anytime an RFR Response matches the NBBO on the opposite side of the market from the RFR Response, but not the MBBO. In contrast, in Example 9 under the current approved Rule, the PRIME Auction would not have terminated early upon the receipt of the unrelated order that is marketable against the NBBO and could have continued another 270 milliseconds.[14]

The Exchange notes that the proposed changes detailed above will likely result in both the shortening of the Auction Period and an increase in the frequency of early conclusions of the Auction for both the PRIME Auction and Solicitation Auction and the Agency Order potentially receiving less opportunity for price improvement. However, the Exchange believes that the benefits to market participants (including those participating in the Auctions and outside of the Auctions) as a result of the new proposed enhancements to make both the PRIME Auction and Solicitation Auction more integrated with the Exchange's Book and the national market system, exceed any potential loss of opportunity for price improvement caused by the proposed changes.

The Exchange proposes to amend Interpretations and Policies .06 and .07 of Rule 515A to provide that same treatment for interest subject to a route timer as the Rules currently provide for managed interest. Specifically, the Exchange proposes to amend Interpretation and Policy .06 to provide that if trading interest exists on the Exchange's Book that is subject to the managed interest process pursuant to Rule 515(c) or a route timer pursuant to Rule 529 for the option on the opposite of side of the market as the Agency Order and when the MBBO is equal to the NBBO, the Agency Order will be automatically executed against the managed interest or route timer interest if the execution would be at a price equal to or better than the initiating price of the Agency Order. If the Agency Order is not fully executed after the managed interest or route timer interest is fully exhausted and is no longer at a price equal to the initiating price of the Agency Order, the Auction will be initiated for the balance of the order as provided in this rule. With respect to any portion of an Agency Order that is automatically executed against managed interest or route timer interest pursuant to this paragraph .06, the exposure requirements contained in Rule 520(b) and (c) will not be satisfied just because the member utilized the PRIME. Trading interest subject to a route timer on the opposite side of the market as the Agency Order pursuant to Rule 515(c) is posted at one minimum trading increment away from the NBBO, but is available for execution at the NBBO. In order to preserve the priority of trading interest subject to a route timer against incoming RFR responses to the Auction of the Agency Order, the System will execute the Agency Order to the extent possible. The Exchange believes that this provision is necessary to ensure that PRIME works seamlessly with the Exchange's Book in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange.

In addition, the Exchange proposes to amend Interpretation and Policy .07 to provide that if trading interest exists on the Exchange's Book that is subject to the managed interest process pursuant to Rule 515(c) or a route timer pursuant to Rule 529 for the option on the same side of the market as the Agency Order, the Agency Order will be rejected by the System prior to initiating an Auction or a Solicitation Auction. The Exchange also proposes to provide that if trading interest exists on the MIAX Book that is subject to the liquidity refresh pause pursuant to Rule 515(c) for the option on the same side or opposite side of the market as the Agency Order, the Agency Order will be rejected by the System prior to initiating an Auction or a Solicitation Auction. Trading interest subject to a liquidity refresh pause or a route timer is posted at one minimum trading increment away from the NBBO, but is available for execution at the NBBO. In order to preserve the priority of trading interest subject to a liquidity refresh pause or a route timer against incoming RFR responses to the Auction of the Agency Order, the System will reject the Agency Order. The Exchange believes that this provision is necessary to ensure that PRIME works seamlessly with the Exchange's Book in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange.

Finally, the Exchange proposes new Interpretation and Policy .09 to provide that if the market is locked or crossed as defined in Rule 1402 for the option, the Agency Order will be rejected by the System prior to initiating a PRIME Auction or a Solicitation Auction. The Exchange believes that this provision is necessary to ensure that PRIME works seamlessly with the national market system in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange.

The Exchange also proposes a couple minor technical changes to the Rules. The Exchange also proposes an updated comprehensive list of the data that the Exchange represents that it will collect in order to aid the Commission in its

[13] *See* Notice, *supra* note 3; Rule 515A(a)(2)(ii)(D).
[14] *See* Rule 515A(a)(2)(ii)(D).

evaluation of the PRIME that incorporates the changes proposed.[15]

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b)[16] of the Act in general, and furthers the objectives of Section 6(b)(5)[17] of the Act in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

The proposal to add the initiating price of the Auction and to use the NBBO as a trigger to cause the early termination of an Auction is designed to facilitate transactions, to remove impediments to and perfect the mechanism of a free and open market by freeing up interest in the Auction when conditions have changed that renders the initiating order no longer marketable to the benefit of market participants. The proposed enhancements to the Rules are designed to further ensure that the Auctions will work seamlessly with the national market system in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange. The Exchange believes that by using the NBBO instead of the MBBO as a reason for terminating an Auction early will improve the interaction between the Auction and the national market system.

The proposal to provide similar treatment for interest subject to a liquidity refresh pause and a route timer as the Rules currently provide for managed interest is also designed to ensure that PRIME works seamlessly with the Exchange's Book in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange in a manner that also protects investors and the public interest.

Finally, the proposal to reject Agency Orders if the market is locked or crossed is designed to ensure that PRIME works seamlessly with the national market system in a manner that would ensure a fair and orderly market by maintaining priority of orders and quotes while still affording the opportunity for price improvement on each Auction commenced on the Exchange.

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 PRIME Auction and Solicitation Auction are designed to increase competition for order flow on the Exchange in a manner intended to be beneficial to investors seeking to effect option orders with an opportunity to access additional liquidity and receive price improvement. The Exchange notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues who offer similar functionality. The Exchange believes that the proposed changes to the Auctions are pro-competitive by providing market participants with functionality that is similar to that of other options exchanges. The Exchange notes that not having the PRIME Auction and Solicitation Auction places the Exchange at a competitive disadvantage versus other exchanges that offer similar price improvement functionality.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act[18] and Rule 19b–4(f)(6)[19] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–MIAX–2014–23 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–MIAX–2014–23. 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 Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only

[15] *See* Rule 515A, Interpretations and Policies .08; *Exhibit 3*.

[16] 15 U.S.C. 78f(b).

[17] 15 U.S.C. 78f(b)(5).

[18] 15 U.S.C. 78s(b)(3)(A).

[19] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

information that you wish to make available publicly. All submissions should refer to File Number SR–MIAX–2014–23 and should be submitted on or before July 15, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14693 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72420; File No. SR–CME–2014–23]

Self-Regulatory Organizations; Chicago Mercantile Exchange Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Extend a Fee Waiver Program for Certain OTC FX Cleared-Only Products

June 18, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act"),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 9, 2014, Chicago Mercantile Exchange Inc. ("CME") filed with the Securities and Exchange Commission ("Commission") the proposed rule change described in Items I, II and III below, which Items have been primarily prepared by CME. CME filed the proposal pursuant to Section 19(b)(3)(A) of the Act,[3] and Rule 19b–4(f)(2)[4] thereunder, so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

CME is proposing to extend an existing fee waiver program supporting certain CME cleared-only over-the-counter ("OTC") foreign exchange ("FX") products through December 31, 2014.

The text of the proposed rule change is below. Italicized text indicates additions; bracketed text indicates deletions.

* * * * *

CME OTC FX Fee Waiver Program

Program Purpose

The purpose of this Program is to incentivize market participants to submit transaction in the OTC FX products listed below to the Clearing House for clearing. The resulting increase in volume benefits all participant segments in the market.

Product Scope

The following cleared only OTC FX products ("Products"):

1. CME Cleared OTC FX—Emerging Markets
   a. USDBRL, USDCLP, USDCNY, USDCOP, USDIDR, USDINR, USDKRW, USDMYR, USDPEN, USDPHP, USDRUB, USDTWD Non-Deliverable Forwards.
   b. USDCZK, USDHUF, USDHKD, USDILS, USDMXN, USDPLN, USDSGD, USDTHB, USDTRY, USDZAR Cash-Settled Forwards.
2. CME Cleared OTC FX—Majors
   a. AUDJPY, AUDUSD, CADJPY, EURAUD, EURCHF, EURGBP, EURJPY, EURUSD, GBPUSD, NZDUSD, USDCAD, USDCHF, USDDKK, USDJPY, USDNOK, USDSEK Cash-Settled Forwards.

Eligible Participants

The temporary reduction in fees will be open to all market participants and will automatically be applied to any transaction in the Products submitted to the Clearing House for clearing.

Program Term

Start date is February 1, 2012. End date is [June 30, 2014] *December 31, 2014.*

Hours

The Program will be applicable regardless of the transaction time.

Program Incentives

Fee Waivers. All market participants that submit transactions in the Products to the Clearing House will have their clearing fees waived.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, CME included statements concerning the purpose 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. CME has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

CME is registered as a derivatives clearing organization with the Commodity Futures Trading Commission ("CFTC") and currently offers clearing services for many different futures and swaps products. With this filing, CME proposes to make proposed changes to CME rules governing certain cleared-only OTC FX products.

The proposed changes would extend an existing fee waiver program that applies to these OTC FX products.[5] The only proposed changes are modifying the current June 30, 2014 termination date for the current fee waiver program to December 31, 2014.

There is no limit to the number of participants that may participate in the proposed fee waiver program; it will be open to all market participants and will be automatically applied to all transaction fees in the enumerated OTC FX products. The changes that are described in this filing are limited to fee changes for OTC FX products. The proposed changes would become effective on filing.

The proposed fee changes are limited to CME's business as a derivatives clearing organization clearing products under the exclusive jurisdiction of the CFTC and do not materially impact CME's security-based swap clearing business in any way. CME has also certified the proposed rule changes that are the subject of this filing to the CFTC in CFTC Submission 14–216.

CME believes the proposed rule changes are consistent with the requirements of the Exchange Act including Section 17A of the Exchange Act.[6] More specifically, the proposed rule changes establish or change a member due, fee or other charge imposed by CME under Section 19(b)(3)(A)(ii)[7] of the Securities Exchange Act of 1934 and Rule 19b–4(f)(2)[8] thereunder. CME believes that the proposed fee change is consistent with the requirements of the Securities Exchange Act of 1934 and the rules and regulations thereunder and, in particular, to Section 17A(b)(3)(D),[9] because the proposed fee changes apply equally to all market participants and therefore the proposed changes provide for the equitable allocation of reasonable dues, fees and other charges among participants. CME also notes that it operates in a highly competitive market in which market participants can readily direct business to competing venues. As such, the proposed changes are appropriately filed pursuant to

[20] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(2).

[5] *See* Exchange Act Release No. 34–71201 (December 30, 2013), 79 FR 688 (January 06, 2014) (SR–CME–2013–35).

[6] 15 U.S.C. 78q–1.

[7] 15 U.S.C. 78s(b)(3)(A)(ii).

[8] 17 CFR 240.19b–4(f)(2).

[9] 15 U.S.C. 78q–1(b)(3)(D).

Section 19(b)(3)(A)[10] of the Act and paragraph (f)(2) of Rule 19b–4 thereunder.

B. Self-Regulatory Organization's Statement on Burden on Competition

CME does not believe that the proposed rule change will have any impact, or impose any burden, on competition. The proposed rule changes extend a currently operating OTC FX fee waiver program for an additional six months. These products are swaps under the exclusive jurisdiction of the CFTC, and, as such, these proposed changes do not affect the security-based swap clearing activities of CME in any way and therefore do not impose any burden on competition that is inappropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

CME has not solicited, and does not intend to solicit, comments regarding this proposed rule change. CME has not received any unsolicited written comments from interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective upon filing pursuant to Section 19(b)(3)(A)[11] of the Act and Rule 19b–4(f)(2) thereunder.[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 (*http://www.sec.gov/rules/sro.shtml*), or
- Send an email to *rule-comments@sec.gov.* Please include File No. SR–CME–2014–23 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–CME–2014–23. 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 Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours or 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of CME and on CME's Web site at *http://www.cmegroup.com/market-regulation/rule-filings.html.*

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR–CME–2014–23 and should be submitted on or before July 15, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–14657 Filed 6–23–14; 8:45 am]

BILLING CODE 8011–01–P

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(2).

[13] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Maintenance, Preventative Maintenance, Rebuilding and Alteration

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 April 14, 2014, vol. 79, no. 71, page 20964. FAR Part 43 prescribes the rules governing maintenance, rebuilding, and alteration of aircraft components, and is necessary to ensure this work is performed by qualified persons and at proper intervals.

DATES: Written comments should be submitted by July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0020.

Title: Maintenance, Preventative Maintenance, Rebuilding and Alteration.

Form Numbers: FAA Form 337.

Type of Review: Renewal of an information collection.

Background: FAR Part 43 prescribes the rules governing maintenance, rebuilding, and alteration of aircraft components, and is necessary to ensure this work is performed by qualified persons, and at proper intervals. This work is done by certified mechanics, repair stations, and air carriers authorized to perform major alterations and major repairs. Proper maintenance records are essential to ensure that an aircraft is properly maintained and is mechanically safe for flight.

Respondents: An estimated 87,769 certified mechanics, repair stations, and air carriers authorized to perform maintenance.

Frequency: Information is collected as needed.

Estimated Average Burden per Response: 30 minutes to one hour per response.

Estimated Total Annual Burden: 34,125 hours.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/FAA, and sent via electronic mail to *oira_submission@omb.eop.gov*, or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 18, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–14689 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Aviation Maintenance Technical Schools

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 April 14, 2014, vol. 79, no. 71, page 20963. The information collected is needed to determine applicant eligibility and compliance for certification of Civil Aviation mechanics and operation of aviation mechanic schools.

DATES: Written comments should be submitted by July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0040.

Title: Aviation Maintenance Technical Schools.

Form Numbers: FAA Form 8310–6.

Type of Review: Renewal of an information collection.

Background: The collection of information is necessary to ensure that Aviation Maintenance Technician Schools meet the minimum requirements for procedures and curriculum set forth by the FAA in FAR Part 147. Applicants submit FAA Form 8310–6, Aviation Maintenance Technician School certificate and Ratings Application, to the appropriate FAA district office for review. If the application (including supporting documentation) is satisfactory, an on-site inspection is conducted. When all FAR Part 147 requirements have been met, an aviation maintenance technician school certificate with appropriate ratings is issued.

Respondents: Approximately 174 representatives of aviation maintenance technician schools.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: 3.17 hours.

Estimated Total Annual Burden: 66,134 hours.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/FAA, and sent via electronic mail to *oira_submission@omb.eop.gov,* or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 18, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–14688 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Certification: Mechanics, Repairmen, and Parachute Riggers

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 April 14, 2014, vol. 79, no. 71, page 20965. FAR part 65 prescribes requirements for mechanics, repairmen, parachute riggers, and inspection authorizations. The information collected shows applicant eligibility for certification.

DATES: Written comments should be submitted by July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0022.

Title: Certification: Mechanics, Repairmen, and Parachute Riggers.

Form Numbers: FAA Forms 8610–1, 8610–2.

Type of Review: Renewal of an information collection.

Background: FAR Part 65 prescribes, among other things, rules governing the issuance of certificates and associated rating for mechanic, repairman, parachute riggers, and issuance of inspection authorizations. The information collected on the forms

submitted for renewal is used for evaluation by the FAA, which is necessary for issuing a certificate and/or rating. Certification is necessary to ensure qualifications of the applicant.

Respondents: An estimated 66,153 mechanics, repairmen, and parachute riggers.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: 20 minutes.

Estimated Total Annual Burden: 44,841 hours.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/FAA, and sent via electronic mail to *oira_submission@omb.eop.gov*, or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 18, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–14687 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Notice of Proposed Construction or Alteration, Notice of Actual Construction or Alteration, Project Status Report

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 April 14, 2014, vol. 79, no. 71, pages 20965–20966. The FAA uses the information collected on form 7460–1 to determine the effect a proposed construction or alteration would have on air navigation and the National Airspace System (NAS), and the information collected on form 7460–2 to measure the progress of actual construction.

DATES: Written comments should be submitted by July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Kathy DePaepe at (405) 954–9362, or by email at: *Kathy.DePaepe@faa.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0001.

Title: Notice of Proposed Construction or Alteration, Notice of Actual Construction or Alteration, Project Status Report.

Form Numbers: FAA Forms 7460–1 and 7460–2.

Type of Review: Renewal of an information collection.

Background: 49 USC Section 44718 states that the Secretary of Transportation shall require notice of structures that may affect navigable airspace, air commerce, or air capacity. These notice requirements are contained in 14 CFR Part 77. The information is collected via FAA forms 7460–1 and 7460–2.

Respondents: Approximately 110,325 airports.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: Approximately 15 minutes.

Estimated Total Annual Burden: 22,425 hours.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/FAA, and sent via electronic mail to *oira_submission@omb.eop.gov*, or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Issued in Washington, DC, on June 18, 2014.

Albert R. Spence,

FAA Assistant Information Collection Clearance Officer, IT Enterprises Business Services Division, ASP–110.

[FR Doc. 2014–14690 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Twenty-Sixth Meeting: RTCA Special Committee 224, Airport Security Access Control Systems

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Meeting Notice of RTCA Special Committee 224, Airport Security Access Control Systems.

SUMMARY: The FAA is issuing this notice to advise the public of the twenty-sixth meeting of the RTCA Special Committee 224, Airport Security Access Control Systems.

DATES: The meeting will be held on July 24th, 2014 from 10:00 a.m.–12:00 p.m.

ADDRESSES: The meeting will be held at RTCA, Inc., 1150 18th Street NW., Suite 910, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at *http://www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of Special Committee 224. The agenda will include the following:

July 24th, 2014

- Welcome/Introductions/ Administrative Remarks.

- Report from the TSA.
- Report from Chairman on PMC review of new Terms of Reference for SC–224
- Individual document section reports.
- Action items for next meeting.
- Time and place of next meeting.
- Any Other Business.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on June 18, 2014.

Mohannad Dawoud,

Management Analyst, NextGen, Business Operations Group, Federal Aviation Administration.

[FR Doc. 2014–14702 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Second Meeting: RTCA Special Committee 229, 406 MHz Emergency Locator Transmitters (ELTs) Joint With EUROCAE WG–98 Committee

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Second Meeting 406 MHz Emergency Locator Transmitters (ELTs) Joint with EUROCAE WG–98 Committee.

SUMMARY: The FAA is issuing this notice to advise the public of the first meeting of the 406 MHz Emergency Locator Transmitters (ELTs) Joint with EUROCAE WG–98 Committee.

DATES: The meeting will be held September 3–5 from 9:30 a.m.–4:00 p.m. (Europe Summer Time).

ADDRESSES: The meeting will be held CNES, 18 Avenue Edouard Belin 31400 Toulouse, France.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at *http://www.rtca.org* or you may contact Sophie Bousquet, *sobousquet@rtca.org*, 202–330–0663.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of Special Committee 224. The agenda will include the following:

September 3, 2014

- Welcome/Introductions/ Administrative Remarks.
- Agenda overview and approval.
- Minutes Washington meeting review and approval.
- Briefing of ICAO and COSPAS–SARSAT activities.
- WG 1 to 4 status and week's plan.
- Other Industry coordination and presentations (if any).
- WG meetings (rest of the day).

September 4, 2014

- WG 1 to 4 meetings.

September 5, 2014

- WGs' reports.
- Action item review.
- Future meeting plans and dates.
- Industry coordination and presentations (if any).
- Other business.
- Adjourn.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on June 18, 2014.

Mohannad Dawoud,

Management Analyst, NextGen, Business Operations Group, Federal Aviation Administration.

[FR Doc. 2014–14691 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Sixty-First Meeting: RTCA Special Committee 186, Automatic Dependent Surveillance-Broadcast (ADS–B)

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Meeting Notice of RTCA Special Committee 186, Automatic Dependent Surveillance-Broadcast (ADS–B).

SUMMARY: The FAA is issuing this notice to advise the public of the sixty first meeting of the RTCA Special Committee 186, Automatic Dependent Surveillance-Broadcast (ADS–B).

DATES: The meeting will be held July 15–17, 2014 from 9:00 a.m.–1:00 p.m.

ADDRESSES: The meeting will be held at the RTCA Headquarters, 1150 18th Street NW., Suite 910, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 330–0662/(202) 833–9339, fax (202) 833–9434, or Web site at *http://www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of Special Committee 186. The agenda will include the following:

July 15

- All Day, WG–4/EUROCAE SubGroup 3—Application Technical Requirements, NBAA Room & Colson Board Room.

July 16

- All Day, WG–4/EUROCAE SubGroup 3—Application Technical Requirements, NBAA Room & Colson Board Room.

July 17

- Plenary Session.

July 17

- Chairman's Introductory Remarks.
- Review of Meeting Agenda.
- Review/Approval of the sixtieth Meeting Summary, RTCA Paper No. RTCA Paper No. 089–14/SC186–333.
- FAA Surveillance and Broadcast Services (SBS) Program—Status.
- WG–4—Application Technical Requirements.
  - Flight Deck-based Interval Management (FIM) MOPS Status & Schedule.
  - Cockpit Assisted Pilot Procedures (CAPP).
- Terms of Reference—proposed updates.
- Coordination with SC–214/WG–78 for ADS–B Application Data Link Rqts—Status.
- Date, Place and Time of Next Meeting.
- New Business.
  - Status brief on stand-up of Wake Vortex Tiger Team
- Other Business.
  - Follow-up on ADS–B v2 avionics installation issues
- Review Action Items/Work Programs.
- Adjourn Plenary.

Attendance is open to the interested public but limited to space availability.

With the approval of the chairman, members of the public may present oral statements at the meeting.

Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on June 18, 2014.

Mohannad Dawoud,

Management Analyst, Business Operations Group, NextGen, Management Services, Federal Aviation Administration.

[FR Doc. 2014–14692 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0189]

Agency Information Collection Activities; Revision of an Approved Information Collection: Hours of Service (HOS) of Drivers Regulations

AGENCY: FMCSA, DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The FMCSA requests approval to revise and extend an ICR entitled, "Hours of Service (HOS) of Drivers Regulations." The HOS rules require most commercial motor vehicle (CMV) drivers to maintain on the CMV a record of duty status (RODS) current to the last change in duty status. The RODS is critical to FMCSA's safety mission because it helps roadside enforcement officials determine if CMV drivers are complying with the HOS rules limiting driver on-duty and driving time and requiring periodic off-duty time. The information helps FMCSA protect the public by reducing the number of tired CMV drivers on the highways.

DATES: We must receive your comments on or before August 25, 2014.

ADDRESSES: You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA–2014–0189 using any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12–140, 20590–0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. Note that all comments received will be posted without change to *http://www.regulations.gov*, including any personal information provided. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov*, and follow the online instructions for accessing the dockets, or go to the street address listed above.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit *http://edocket.access.gpo.gov/2008/pdfE8-794.pdf.*

Public Participation: The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the "help" section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division Department of Transportation, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202–366–4325. Email: *MCPSD@dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

Statutory authority for regulating the HOS of drivers operating CMVs in interstate commerce is derived from 49 U.S.C. 31136 and 31502. The penalty provisions are located at 49 U.S.C. 521, 522 and 526, as amended. On November 28, 1982, the Federal Highway Administration (FHWA), the agency responsible for administration of the Federal Motor Carrier Safety Regulations (49 CFR 350 et seq.)(FMCSRs) at that time, promulgated a final rule requiring motor carriers to ensure that their drivers record their duty status in a specified format and verify the accuracy of the HOS of each driver (47 FR 53383). The rule is codified at 49 CFR 395.8. The FMCSRs also state:

"No driver shall operate a commercial motor vehicle, and a commercial motor carrier shall not require or permit a driver to operate a commercial motor vehicle, while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle" (49 CFR 392.3).

The FMCSA regulates the amount of time a CMV driver may drive or otherwise be on duty, in order to ensure that adequate time is available to the driver for rest. A driver must accurately record his or her duty status (driving, on duty not driving, off duty, sleeper berth) at all points during the 24-hour period designated by the motor carrier (49 CFR 395.8(a)(1)). This record of duty status (RODS) must be made on a specified grid (Section 395.8(g)). The term "logbook" is often used in the industry to denote the collection of the most recent RODS of the driver. A driver must have the RODS for the previous 7 consecutive days in the CMV at all times (Section 395.8(k)(2)). The RODS must be submitted to the motor carrier along with any supporting documents, such as fuel receipts and toll tickets that could assist in verifying the accuracy of entries on the RODS. The HOS rules do not require motor carriers to submit this information to FMCSA. However, motor carriers must retain these records for a minimum of 6 months from the date of receipt and make them available to enforcement officials upon request (Section 395.8(k)(1)). The HOS rules provide three methods of recording driver duty status:

(1) *Paper RODS:* This grid form requires the driver to graph time and location on a paper record over a 24-hour period (Section 395.8(g)). It must be present on the CMV in the absence of a regulatory exception.

(2) *Time Record:* "Short haul" CMV drivers do not have to maintain a RODS onboard the vehicle if their motor carrier maintains a time record showing for each duty day when driver reported for duty, when he or she was released from duty, and the total hours on duty (Section 395.1(e)).

(3) *Automatic On-Board Recording Device (AOBRD):* An electronic record is permitted if it is created and maintained by an AOBRD as defined by Section 395.2. The record must include all the information that would appear on a paper log, and the driver or carrier must be capable of producing this information upon demand.

On March 28, 2014, the Agency published a supplemental notice of proposed rulemaking proposing rules that would require motor carriers to use on-board technology to record their HOS regulations, and seeking public comment on them (79 FR 17656). This rulemaking does not affect this ICR because compliance with the final rule, when published, will not be required until *after* the 3-year timeframe of this PRA estimate.

As a condition of receiving certain federal grants, States agree to adopt and enforce the FMCSRs, including the HOS rules, as State law. As a result, State enforcement inspectors use the RODS and supporting documents to determine whether CMV drivers are complying with the HOS rules. In addition, FMCSA uses the RODS during on-site compliance reviews (CRs) and targeted reviews of motor carriers. And, Federal and State courts rely upon the RODS as evidence of driver and motor carrier violations of the HOS regulations. This information collection supports the DOT's Strategic Goal of Safety because the information helps the Agency ensure the safe operation of CMVs in interstate commerce on our Nation's highways.

The PRA burden estimate is currently 181.28 million hours, approved by OMB on December 11, 2011. The expiration date of this ICR is December 31, 2014. Through this ICR, FMCSA requests a revision of the paperwork burden of 2126–0001. The Agency requests a reduction in the burden hours. The reduction is the result of two program adjustments and is not the result of amendments of the HOS rules. The program adjustments are: (1) A lower estimate of the number of CMV drivers who are subject to the HOS rules; and (2) an estimate of the burden reduction experienced by those CMV drivers voluntarily using electronic HOS technology. First, the Agency reduces its estimate of the number of drivers subject to the HOS recordkeeping requirements from 4.6 million to 2.84 million. Second, FMCSA estimates that 10% of drivers currently are obtaining burden reductions because they use electronic HOS technology.

Title: Hours of Service (HOS) of Drivers Regulations.

OMB Control Number: 2126–0001.

Type of Request: Revision of an information collection.

Respondents: Motor Carriers of Property and Passengers, Drivers of CMVs.

Estimated Number of Respondents: 3.17 million (2.84 million CMV drivers + 0.33 million motor carriers).

Estimated Time per Response: CMV driver using paper RODS: 11 minutes. CMV driver using technology: 2 minutes. Motor carrier: 3 minutes.

Expiration Date: 12/31/2014.

Frequency of Response: Drivers: 240 days per year; Motor Carriers: 240 days per year.

Estimated Total Annual Burden: 106.89 million 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 performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the information collected. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87 on: June 12, 2014.

G. Kelly Leone,

Associate Administrator for Office of Research and Information Technology and Chief Information Officer.

[FR Doc. 2014–14709 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0017]

Qualification of Drivers; Exemption Applications; Diabetes Mellitus

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of applications for exemptions; request for comments.

SUMMARY: FMCSA announces receipt of applications from 74 individuals for exemption from the prohibition against persons with insulin-treated diabetes mellitus (ITDM) operating commercial motor vehicles (CMVs) in interstate commerce. At the end of the comment period, the Agency will grant exemptions to the applicants listed herein if there are no adverse comments that indicate the driver's ability will not achieve a level of safety equivalent to or greater than the level of safety that would be obtained by complying with the regulations. All comments will be reviewed and evaluated by FMCSA. Some individuals appearing in this notice may not receive exemptions based on comments submitted during the comment period. Individuals not granted an exemption may either be published at a future date based on further evaluation, or may not be deemed to meet the aforementioned level of safety if granted an exemption. These individuals will be published in a quarterly notice of exemption denials. As always, any adverse comments received after the exemption is granted will be evaluated, and if they indicate that the driver is not achieving a level of safety equivalent to or greater than the level of safety that would be obtained by complying with the regulation, the exemption will be revoked. When granted, the exemptions will allow these individuals with ITDM to operate CMVs in interstate commerce.

DATES: Comments must be received on or before July 24, 2014. All comments will be investigated by FMCSA. The exemptions will be issued the day after the comment period closes.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2014–0017 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- *Fax:* 1–202–493–2251.

Instructions: Each submission must include the Agency name and the

docket numbers for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov*, including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

FOR FURTHER INFORMATION CONTACT: Elaine M. Papp, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov*, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations for a 2-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption." The statute also allows the Agency to renew exemptions at the end of the 2-year period. The 74 individuals listed in this notice have recently requested such an exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency has evaluated the qualifications of each applicant and determined that granting the exemption will achieve the required level of safety mandated by statute.

Qualifications of Applicants

Todd Y. Albright

Mr. Albright, 52, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Albright understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Albright meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Montana.

Weslyn E. Allen

Mr. Allen, 41, has had ITDM since 2014. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Allen understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Allen meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Illinois.

John H. Ascheman

Mr. Ascheman, 61, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Ascheman understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ascheman meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

Robert M. Borunda

Mr. Borunda, 52, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Borunda understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Borunda meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from California.

Alan F. Brown, Jr.

Mr. Brown, 37, has had ITDM since 1982. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Brown understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Brown meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable proliferative diabetic retinopathy. He holds a Class A CDL from Indiana.

Forrest L. Burghard

Mr. Burghard, 29, has had ITDM since 2001. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Burghard understands diabetes management and monitoring, has stable control of his diabetes using

insulin, and is able to drive a CMV safely. Mr. Burghard meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Pennsylvania.

Gary L. Burkett

Mr. Burkett, 69, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Burkett understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Burkett meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Illinois.

Theodore W. Burnette

Mr. Burnette, 42, has had ITDM since 1990. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Burnette understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Burnette meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy in his left eye, and has stable proliferative diabetic retinopathy in his right eye. He holds an operator's license from California.

Kevin M. Butler

Mr. Butler, 57, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Butler understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Butler meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from California.

John Canal

Mr. Canal, 39, has had ITDM since 2014. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Canal understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Canal meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Anthony C. Cole

Mr. Cole, 38, has had ITDM since 2014. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Cole understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Cole meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Wyoming.

Kevin G. Comstock

Mr. Comstock, 52, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Comstock understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Comstock meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

Jacob S. Crawford

Mr. Crawford, 21, has had ITDM since 2010. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Crawford understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Crawford meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Georgia.

Christopher Dave

Mr. Dave, 54, has had ITDM since 1995. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Dave understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Dave meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a chauffeur's license from Michigan.

Anthony J. Davis

Mr. Davis, 61, has had ITDM since 2008. His endocrinologist examined him in 2013 and certified that he has had no

severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Davis understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Davis meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

Justin J. Day

Mr. Day, 30, has had ITDM since 1990. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Day understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Day meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from South Dakota.

Charles G. Denegal

Mr. Denegal, 53, has had ITDM since 1989. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Denegal understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Denegal meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Washington.

Wayne H. Dirks

Mr. Dirks, 51, has had ITDM since 2011. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Dirks understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Dirks meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Washington.

Charles G. Elliott

Mr. Elliott, 43, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Elliott understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Elliott meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

Joseph S. Farrow

Mr. Farrow, 25, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Farrow understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Farrow meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

James R. Fiecke

Mr. Fiecke, 53, has had ITDM since 2010. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Fiecke understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Fiecke meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from North Dakota.

Rebecca A. Frye

Ms. Frye, 54, has had ITDM since 2014. Her endocrinologist examined her in 2014 and certified that she has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. Her endocrinologist certifies that Ms. Frye understands diabetes management and monitoring has stable control of her diabetes using insulin, and is able to drive a CMV safely. Ms. Frye meets the requirements of the vision standard at 49 CFR 391.41(b)(10). Her optometrist examined her in 2013 and certified that she does not have diabetic retinopathy. She holds a Class A CDL from Indiana.

Eric C. Gambill

Mr. Gambill, 23, has had ITDM since 2000. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Gambill understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gambill meets the

requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Ohio.

Mark P. Gerrits

Mr. Gerrits, 30, has had ITDM since 1995. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Gerrits understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gerrits meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Wisconsin.

Michael Gilon

Mr. Gilon, 59, has had ITDM since 2011. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Gilon understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gilon meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New Hampshire.

Chance A. Gooch

Mr. Gooch, 21, has had ITDM since 2004. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Gooch understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gooch meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Georgia.

Robert L. Harris

Mr. Harris, 53, has had ITDM since 2014. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Harris understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Harris meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

William G. Harvey

Mr. Harvey, 62, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Harvey understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Harvey meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Oregon.

Darrell S. Haynes

Mr. Haynes, 43, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Haynes understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Haynes meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

Joseph D. Helget

Mr. Helget, 35, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Helget understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Helget meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Oregon.

Charles D. Henderson

Mr. Henderson, 40, has had ITDM since 1987. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Henderson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Henderson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from New York.

Russell J. Hicks

Mr. Hicks, 55, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function

that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hicks understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hicks meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

Stephen L. Hill

Mr. Hill, 65, has had ITDM since 2011. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hill understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hill meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Marvin S. Howard

Mr. Howard, 49, has had ITDM since 2009. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Howard understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Howard meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Ohio.

Larry A. Hrdlicka

Mr. Hrdlicka, 57, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hrdlicka understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hrdlicka meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Iowa.

Michael L. Jackson

Mr. Jackson, 51, has had ITDM since 1980. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Jackson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Jackson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from North Carolina.

Eric A. Knox

Mr. Knox, 57, has had ITDM since 2011. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Knox understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Knox meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Kentucky.

Erik M. Lindquist

Mr. Lindquist, 41, has had ITDM since 1994. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Lindquist understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Lindquist meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Washington.

Thomas K. Linkel

Mr. Linkel, 57, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Linkel understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Linkel meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

Christine I. Llewellyn

Ms. Llewellyn, 50, has had ITDM since 1995. Her endocrinologist examined her in 2013 and certified that she has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. Her endocrinologist certifies that Ms. Llewellyn understands diabetes management and monitoring has stable control of her diabetes using insulin, and is able to drive a CMV safely. Ms. Llewellyn meets the requirements of the vision standard at 49 CFR 391.41(b)(10). Her optometrist examined her in 2014 and certified that she does not have diabetic retinopathy. She holds a Class B CDL from Illinois.

Larry D. Lynds

Mr. Lynds, 56, has had ITDM since 2009. His endocrinologist examined him

in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Lynds understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Lynds meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Maine.

Ryan A. Malandrone

Mr. Malandrone, 31, has had ITDM since 1991. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Malandrone understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Malandrone meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Wisconsin.

Thomas J. Manning

Mr. Manning, 49, has had ITDM since 2005. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Manning understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Manning meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Minnesota.

Joseph R. Martinez

Mr. Martinez, 62, has had ITDM since 2012. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Martinez understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Martinez meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Arizona.

Steve A. Meharry

Mr. Meharry, 61, has had ITDM since 2005. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Meharry understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Meharry meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Washington.

Robert A. Miller, Jr.

Mr. Miller, 57, has had ITDM since 2009. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Miller understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Miller meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from West Virginia.

Ben G. Moore

Mr. Moore, 63, has had ITDM since 2014. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Moore understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Moore meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Illinois.

Chad M. Morris

Mr. Morris, 37, has had ITDM since 1985. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Morris understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Morris meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from New York.

Paul C. Mortenson

Mr. Mortenson, 50, has had ITDM since 2010. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Mortenson understands diabetes management and monitoring,

has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Mortenson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Wisconsin.

William D. Murray

Mr. Murray, 78, has had ITDM since 2011. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Murray understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Murray meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Alabama.

Jacob D. Nafziger

Mr. Nafziger, 37, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Nafziger understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Nafziger meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Ohio.

Edward T. Nauer

Mr. Nauer, 70, has had ITDM since 2011. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Nauer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Nauer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Virginia.

Keith W. Nichols

Mr. Nichols, 53, has had ITDM since 1992. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Nichols understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Nichols meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Texas.

Mark A. Novak

Mr. Novak, 54, has had ITDM since 2012. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Novak understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Novak meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Wisconsin.

Colin R. Parmelee

Mr. Parmelee, 33, has had ITDM since 2008. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Parmelee understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Parmelee meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Indiana.

Michelle L. Perkins

Ms. Perkins, 43, has had ITDM since 1977. Her endocrinologist examined her in 2014 and certified that she has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. Her endocrinologist certifies that Ms. Perkins understands diabetes management and monitoring has stable control of her diabetes using insulin, and is able to drive a CMV safely. Ms. Perkins meets the requirements of the vision standard at 49 CFR 391.41(b)(10). Her optometrist examined her in 2014 and certified that she does not have diabetic retinopathy. She holds an operator's license from Washington.

Robert S. Schreiber

Mr. Schreiber, 44, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Schreiber understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Schreiber meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

Matthew P. Sczpanski

Mr. Sczpanski, 37, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance

of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Sczpanski understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Sczpanski meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Ohio.

Frank E. Shamer, Jr.

Mr. Shamer, 46, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Shamer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Shamer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Maryland.

Jason F. Snyder

Mr. Snyder, 53, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Snyder understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Snyder meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Maine.

Anthony S. Sobreiro

Mr. Sobreiro, 50, has had ITDM since 1990. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Sobreiro understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Sobreiro meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable proliferative diabetic retinopathy. He holds a Class A CDL from New Jersey.

Carl A. Spivey

Mr. Spivey, 54, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Spivey understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Spivey meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Alabama.

Colby E. Starner

Mr. Starner, 21, has had ITDM since 1997. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Starner understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Starner meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Pennsylvania.

Daniel E. Stephens

Mr. Stephens, 51, has had ITDM since 2013. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Stephens understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Stephens meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Robert A. Stewart

Mr. Stewart, 51, has had ITDM since 1992. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Stewart understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Stewart meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class B CDL from Iowa.

Bartholomew Taliaferro

Mr. Taliaferro, 61, has had ITDM since 2004. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Taliaferro understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Taliaferro meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in

2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Pennsylvania.

Johnathan D. Truitt

Mr. Truitt, 55, has had ITDM since 1980. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Truitt understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Truitt meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Illinois.

Brett T. Tyler

Mr. Tyler, 28, has had ITDM since 1999. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Tyler understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Tyler meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Oklahoma.

Rylan P. Wheeler

Mr. Wheeler, 25, has had ITDM since 2000. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Wheeler understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Wheeler meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds an operator's license from Illinois.

Gordon J. White

Mr. White, 69, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. White understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. White meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Missouri.

Kelly L. Whitley

Mr. Whitley, 54, has had ITDM since 1989. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Whitley understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Whitley meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from North Carolina.

Jerry R. Williams

Mr. Williams, 55, has had ITDM since 2003. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Williams understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Williams meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Georgia.

Charles L. Wojton

Mr. Wojton, 62, has had ITDM since 2006. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Wojton understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Wojton meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable proliferative diabetic retinopathy. He holds a Class B CDL from Pennsylvania.

Steven L. Zimmer

Mr. Zimmer, 65, has had ITDM since 2008. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Zimmer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Zimmer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Ohio.

FMCSA has evaluated the eligibility of the 74 applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3). Absent the receipt of comments indicating that a driver's ability would not achieve the aforementioned level of safety, the

Agency will grant the drivers an exemption the day after the comment period closes.

Diabetes Mellitus and Driving Experience of the Applicants

The agency established the current requirement for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441) **Federal Register** notice, in conjunction with the November 8, 2005 (70 FR 67777) **Federal Register** notice, provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These 74 applicants have had ITDM over a range of 1 to 37 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision requirement at 49 CFR 391.41(b)(10).

Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes requirement in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes requirement in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

Conditions and Requirements

The terms and conditions of the exemption will be provided to the granted applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the date section of the notice.

FMCSA notes that section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users requires the Secretary to revise its diabetes exemption program established on September 3, 2003 (68 FR 52441).[1] The revision must provide for individual assessment of drivers with diabetes mellitus, and be consistent with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305).

Section 4129 requires: (1) Elimination of the requirement for 3 years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the 3-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136(e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary.

The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003 notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003 notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2014–0017 and click the search button. When the new screen appears, click on the blue "Comment Now!" button on the right hand side of the page. On the new page, enter information required including the

[1] Section 4129(a) refers to the 2003 notice as a "final rule." However, the 2003 notice did not issue a "final rule" but did establish the procedures and standards for issuing exemptions for drivers with ITDM.

specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and material received during the comment period and may change this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.

Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2014–0017 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to the proposed rulemaking.

Issued on: June 10, 2014.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2014–14722 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA–2014–0015]

Qualification of Drivers; Exemption Applications; Diabetes Mellitus

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 71 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions will enable these individuals to operate CMVs in interstate commerce.

DATES: The exemptions are effective June 24, 2014. The exemptions expire on June 24, 2016.

FOR FURTHER INFORMATION CONTACT: Elaine M. Papp, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Room W64–224, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* and/or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act: Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

Background

On April 22, 2014, FMCSA published a notice of receipt of Federal diabetes exemption applications from 71 individuals and requested comments from the public (77 FR 22573). The public comment period closed on May 22, 2014, and no comments were received.

FMCSA has evaluated the eligibility of the 71 applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

Diabetes Mellitus and Driving Experience of the Applicants

The Agency established the current requirement for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These 71 applicants have had ITDM over a range of 1 to 42 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision requirement at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the April 22, 2014, **Federal Register** notice and they will not be repeated in this notice.

Discussion of Comments

FMCSA received no comments in this proceeding.

Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes requirement in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes requirement in 49 CFR

391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

Conditions and Requirements

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

Conclusion

Based upon its evaluation of the 71 exemption applications, FMCSA exempts Joshua T. Adams (OH), Curtis J. Arndt (MN), Dennis W. Athey, II (KS), John M. Behan, Jr. (MD), Peterson Benally (NM), Jonathan B. Berhost (NM), Kirk B. Berridge (KS), Doren E. Bethel (OH), Francis P. Bourgeois (LA), William E. Broderick (OR), Randall T. Buffkin (NC), Terry S. Bunge (WI), Kenneth J. Burr (MA), Heladio Castillo (WA), Purvis J. Chesson (VA), Bonnie F. Craig (OR), Cody Cullen (MN), Max E. David (IN), Jeff T. Enbody (WA), John C. Fisher, Jr. (PA), Larry S. Gibson, II (NC), Dean C. Groskreutz (MN), James M. Halapchuk (PA), Jeffery A. Hall (ME), Henry W. Hartman (NY), Travis L. Hawley (MN), Marlin R. Hein (IA), Clifford E. Hill (WA), Robert E. Hunt (MT), Vincenzo Ingrassellino (NY), Davis Jansen van Beek (MT), Baek J. Kim (MD), Shawn N. Kimble (PA), Darrel G. Klauer (WI), Stephen D. Lewis (NY), Brandon P. Maziarz (PA), Kerry W. McCarthy (IN), Alvin McClain (OR), Kenneth D. Mehmen (IA), Kyle B. Mitchell (CA), Michael A. Mobley (KS), Derald E. Moenning (NE), Thomas R. Moore, Jr. (AZ), Michael A. Murrell (KY), Donald A. Nellen (WI), Dennis N. O'Brien (MN), Ryan R. Ong (CA), Gregory Paradiso (OH), Brian K. Patenaude (MA), Traci L. Patterson (CA), Chad A. Powell (MO), Grant D. Reiber (OR), Frank J. Reimer (WI), Rosa L. Rinard (TX), Esteban Ruiz-Crespo (FL), Richard C. Schendel (MN), William A. Schimpf, Jr. (CA), William J. Schwertner, Jr. (TX), Frank J. Sciulli (PA), Bryan J. Smith (ND), Steven M. Snyder (MO), Craig L. Staufacker (MN), Edward L. Stauffer (PA), William H. Stone, Sr. (FL), Kyle G. Streit (TX), Joseph D. Stutzman (PA), Raymond J. Vaillancourt (OH), Robert L. Weiland (PA), Tracy Williams (IL), Reginald R. Wolfe, Jr. (MD), and Jared M. Woofter (WV) from the ITDM requirement in 49 CFR 391.41(b)(3), subject to the conditions listed under "Conditions and Requirements" above.

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption will be valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: June 9, 2014.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2014–14754 Filed 6–23–14; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Release of Waybill Data

The Surface Transportation Board has received a request from RSI Logistics, Inc. (WB609–1—6/17/14) for permission to use certain data from the Board's 2003 through 2012 Carload Waybill Sample. A copy of this request may be obtained from the Office of Economics.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

Contact: Alexander Dusenberry, (202) 245–0319.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2014–14665 Filed 6–23–14; 8:45 am]

BILLING CODE 4915–01–P

FEDERAL REGISTER

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Part II

Department of Defense

General Services Administration

National Aeronautics and Space Administration

48 CFR Chapter 1, *et al.*

Federal Acquisition Regulations; Federal Acquisition Circular 2005–75; Introduction; *et al.* Final Rules

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket No. FAR 2014–0051, Sequence No. 3]

Federal Acquisition Regulation; Federal Acquisition Circular 2005–75; Introduction

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Summary presentation of interim and final rules.

SUMMARY: This document summarizes the Federal Acquisition Regulation (FAR) rules agreed to by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) in this Federal Acquisition Circular (FAC) 2005–75. A companion document, the *Small Entity Compliance Guide* (SECG), follows this FAC. The FAC, including the SECG, is available via the Internet at *http://www.regulations.gov.*

DATES: For effective dates and comment dates see separate documents, which follow.

FOR FURTHER INFORMATION CONTACT: The analyst whose name appears in the table below in relation to the FAR case. Please cite FAC 2005–75 and the specific FAR case number. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755.

RULES LISTED IN FAC 2005–75

Item	Subject	FAR Case	Analyst
I	EPEAT Items (Interim)	2013–016	Chambers.
II	Contracting with Women-Owned Small Business Concerns	2013–010	Morgan.
III	Limitation on Allowable Government Contractor Compensation Costs (Interim)	2014–012	Chambers.

SUPPLEMENTARY INFORMATION:

Summaries for each FAR rule follow. For the actual revisions and/or amendments made by these rules, refer to the specific item numbers and subjects set forth in the documents following these item summaries. FAC 2005–75 amends the FAR as specified below:

Item I—EPEAT Items (FAR Case 2013–016) (Interim)

This interim rule implements changes in the Electronic Product Environmental Assessment Tool (EPEAT®)-registry requirements at FAR subpart 23.7. The FAR requirement to procure EPEAT®-registered products is revised to incorporate the revised standard applicable to personal computer products and to add the standards for imaging equipment and televisions.

Item II—Contracting With Women-Owned Small Business Concerns (FAR Case 2013–010)

This final rule adopts as final, without change, an interim rule that amended FAR 19.1505 to remove the dollar limitation for set-asides for economically disadvantaged women-owned small business (EDWOSB) concerns or women-owned small business (WOSB) concerns eligible under the Women-Owned Small Business (WOSB) Program. The interim rule implemented section 1697 of the National Defense Authorization Act for Fiscal Year 2013, Public Law 112–239, which amended section 8(m) of the Small Business Act, (15 U.S.C. 637(m)). As a result of this change, contracting officers may set aside acquisitions for competition restricted to EDWOSB concerns or WOSB concerns eligible under the WOSB Program at any dollar level above the micro-purchase threshold, provided the other requirements for a set-aside under the WOSB Program are met.

Item III—Limitation on Allowable Government Contractor Compensation Costs (FAR Case 2014–012) (Interim)

This interim rule amends the FAR to implement section 702 of the Bipartisan Budget Act of 2013. In accordance with section 702, this interim rule revises the allowable cost limit relative to the compensation of contractor and subcontractor employees. In the current FAR, this limitation on the allowability of compensation is an amount set annually by the Office of Federal Procurement Policy and covers all Federal agencies; it is currently $952,308. Under this interim rule, this limitation on a contractor's employee's compensation will be $487,000, adjusted annually to reflect the change in the Employment Cost Index for all workers as calculated by the Bureau of Labor Statistics. Also, in accordance with section 702, this interim rule implements the possible exception to this allowable cost limit for scientists, engineers, or other specialists upon an agency determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities. Because most contracts awarded to small businesses are awarded on a fixed-price basis, the impact of this compensation limitation on small businesses will be minimal.

Dated: June 13, 2014.

William Clark,

Acting Director, Office of Government-Wide Acquisition Policy, Office of Acquisition Policy, Office of Government-Wide Policy.

Federal Acquisition Circular (FAC) 2005–75 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2005–75 is effective June 24, 2014 except for item III, which is effective *June 24, 2014.*

Dated: June 13, 2014.

Linda Neilson,

Deputy Director, Defense Procurement and Acquisition Policy, for the Defense Acquisition Regulations System.

Dated: June 13, 2014.

Jeffrey A. Koses,

Senior Procurement Executive/Deputy CAO, Office of Acquisition Policy, U.S. General Services Administration.

Dated: June 12, 2014.

Ronald A. Poussard,

Director, Contract Management Division, National Aeronautics and Space Administration.

[FR Doc. 2014–14380 Filed 6–23–14; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 2, 7, 11, 23, 39, and 52

RIN 9000–AM71

[FAC 2005–75; FAR Case 2013–016; Item I; Docket 2013–0016, Sequence 1] Federal Acquisition Regulation; EPEAT Items

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Interim Rule.

SUMMARY: DoD, GSA, and NASA are issuing an interim rule amending the Federal Acquisition Regulation (FAR) to implement changes in the Electronic Product Environmental Assessment Tool (EPEAT®) registry.

DATES: *Effective Date:* June 24, 2014.

Comment Date: Interested parties should submit written comments to the Regulatory Secretariat on or before August 25, 2014 to be considered in the formulation of a final rule.

ADDRESSES: Submit comments identified by FAC 2005–75, FAR Case 2013–016, by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching for "FAR Case 2013–016" Select the link "Comment Now" that corresponds with "FAR Case 2013–016." Follow the instructions provided at the "Comment Now" screen. Please include your name, company name (if any), and "FAR Case 2013–016" on your attached document.
- *Fax:* 202–501–4067.
- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), ATTN: Ms. Flowers, 1800 F Street NW., 2nd floor, Washington, DC 20405.

Instructions: Please submit comments only and cite FAC 2005–75, FAR Case 2013–016, in all correspondence related to this case. All comments received will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Edward N. Chambers, Procurement Analyst, at 202–501–3221 for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755. Please cite FAC 2005–75, FAR Case 2013–016.

SUPPLEMENTARY INFORMATION:

I. Background

This interim rule revises the Federal Acquisition Regulation (FAR) to expand the Federal requirement to procure EPEAT®-registered products beyond personal computer products to cover imaging equipment (*i.e.,* copiers, digital duplicators, facsimile machines, mailing machines, multifunction devices, printers, and scanners) and televisions and modify the existing FAR requirements to recognize the revised standard applicable to computer products.

In April 2006, the IEEE 1680™ Standard for the Environmental Assessment of Personal Computer Products, was published by the Institute of Electrical and Electronics Engineers (IEEE), Inc., a 140-year-old, ANSI-accredited standards development organization. In July 2006, the EPEAT® Product Registry was launched, providing a listing of products that conformed to this standard. In 2007, President Bush issued Executive Order 13423 (signed January 24, 2007, and published in the **Federal Register** at 72 FR 3920 on January 26, 2007), which required Federal agencies to satisfy at least 95 percent of their requirements for electronic products with EPEAT®-registered electronic products unless there was not an EPEAT® standard for such product. EPEAT® requirements were added to the FAR by the final rule of FAR Case 2006–030 (published in the **Federal Register** at 74 FR 2740 on January 15, 2009).

President Obama issued Executive Order 13514 (signed October 5, 2009, and published in the **Federal Register** at 74 FR 52117 on October 8, 2009) supporting the procurement of EPEAT®-registered products, with one procurement exception added for the acquisition of weapon systems.

The IEEE has finalized a revised version of the 1680™ standard, which contains the process for the conformity assessment to the IEEE 1680™ family of standards. Currently, this family consists of the following:

- IEEE 1680.1™, the specific environmental performance criteria for personal computer products.
- IEEE 1680.2™, the specific environmental performance criteria for imaging equipment.
- IEEE 1680.3™, the specific environmental performance criteria for televisions.

The latter two standards were finalized in 2012 and added to the EPEAT® registry in 2013.

The FAR implementation of EPEAT® requirements, to date, has been limited to the original product category, *i.e.,* personal computer products. The addition of the new EPEAT® product categories requires amendments to FAR subpart 23.7 to fully implement the EPEAT® acquisition requirement.

II. Discussion and Analysis

The FAR, as currently written, does not facilitate full implementation of E.O.s 13423 and 13514. While FAR 23.103 requires that Federal agencies shall advance sustainable acquisition by ensuring that 95 percent of new contract actions for the supply of products and for the acquisition of services (including construction) require that the products are environmentally preferable (*e.g.,* EPEAT-registered, or non-toxic or less toxic alternatives), there has been only one corresponding contract clause, for personal computer products.

The changes being made to the FAR include definitions for the relevant electronic products for computer products, imaging equipment, and televisions. In addition to including new definitions associated with imaging equipment and televisions, the FAR definitions for personal computer products are revised to harmonize with those in IEEE 1680.1™. The FAR text explains at 23.704 that EPEAT®-registered electronic products are designated bronze-, silver-, or gold-registered. The reference to the 95 percent purchasing requirement that had been included in FAR 23.704(c) is removed in this revision because the overall 95 percent sustainable acquisition goal at FAR 23.103(a) makes it unnecessary to repeat the goal for EPEAT®. The language on applicability at FAR 23.704(a)(2) is revised to use wording similar to that used in the energy-efficiency rule at FAR 23.200 without changing the substance. The exceptions that had been located at FAR 23.704(c) are revised for clarity and relocated to FAR 23.704(a).

The format for the clause prescriptions, at FAR 23.705(b), (c), and (d), are conformed to the format used for the clause prescription at FAR 23.206 (for FAR 52.223–15, Energy Efficiency in Energy-Consuming Products). This was done for the purposes of consistency and clarity.

The interim rule includes three contract clauses, one each for computer products, imaging equipment, and televisions. The clauses require acquisition of products with at least the minimum, or bronze-registered,

designation. Each of the clauses has one alternate, which purchasers can use when the requirement is for silver- or gold-registered products.

Other amendments made by the interim rule add the current references and clarify the requirements in this area. The definition of "facsimile" at FAR 2.101 is deleted at FAR 2.101 for several reasons. Primarily, DoD, GSA and NASA wanted to ensure that the faxing process could not be confused with "facsimile machine," as that term is now defined at FAR 23.701. Further, while "facsimile" is used over 90 times in the FAR, its proper use is defined in the two clauses at FAR 52.214–31, Facsimile Bids, and 52.215–5, Facsimile Proposals. There is no value added by having a definition in part 2 of the FAR.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD, GSA, and NASA do not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* However, an Initial Regulatory Flexibility Analysis (IRFA) has been prepared and is summarized as follows:

This is an interim rule revising the FAR to incorporate EPEAT standards for the procurement of Electronic Product Environmental Assessment Tool (EPEAT®)-registered products beyond personal computer products to cover imaging equipment (*i.e.,* copiers, digital duplicators, facsimile machines, mailing machines, multifunction devices, printers, and scanners) and televisions and modify the existing FAR requirements to recognize the revised standard applicable to personal computer products.

Executive Order 13423 requires Federal agencies to satisfy at least 95 percent of their requirements for electronic products with EPEAT®-registered electronic products unless there is not an EPEAT® standard for such product. Executive Order 13514 supported the procurement of EPEAT®-registered products, with one procurement exception added for the acquisition of weapon systems.

The EPEAT organization is incorporated as a 501(c)(4) "social benefit" nonprofit organization and is overseen by an independent Board of Directors guided by a stakeholder Advisory Council. EPEAT manages the EPEAT® registry. Products must conform to the IEEE 1680™ family of standards in order to be listed on the EPEAT® product registry. The EPEAT requirement, including a specific requirement for the purchase of EPEAT®-registered personal computer products, was added to the FAR by FAR Case 2006–030. Since that final rule was issued on January 15, 2009, the IEEE has published an updated standard for personal computer products and two additional standards, for imaging equipment and televisions.

Searching within the EPEAT® registry on May 3, 2013, the following numbers of products were listed as registered in the United States:

Product category	Bronze	Silver	Gold	Total
Personal computer products	52	793	1,528	2,373
Imaging equipment	202	128	16	346
Televisions	-0-	84	39	123

These numbers refer to products, not individual companies. However, most (90–100 percent) of the companies with products listed on the EPEAT® registry are large businesses. These companies pay an annual fee, based on a sliding scale determined by the firm's revenue for that product the previous year, in order to be able to list the products on the EPEAT registry.

However, purchasers often procure through resellers or distributors of EPEAT®-registered products rather than directly from the manufacturers. EPA's Office of Small Business Programs stated that the majority of the resellers and distributors for EPEAT®-registered products are categorized as small businesses. Further, only the actual manufacturer pays to list products on the EPEAT® registry. The resellers or distributors pay no fees but reap the benefit of the EPEAT categorization.

Therefore, there will be little or no impact on small businesses due to this rule.

There are no reporting, recordkeeping, or other compliance requirements associated with this rule. The only requirement is that businesses planning to submit a proposal to the Government be aware of the EPEAT® registry and Web site and refer to it during the preparation of proposals.

The rule does not duplicate, overlap, or conflict with any other Federal rules. The compliance and reporting requirements under the rule are minor and not onerous in any sense. Small entities can comply with the requirements either as manufacturers, resellers, or distributors.

The Regulatory Secretariat has submitted a copy of the IRFA to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the Regulatory Secretariat. DoD, GSA, and NASA invite comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD, GSA, and NASA will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (FAC 2005–75, FAR Case 2013–016) in correspondence.

V. Paperwork Reduction Act

The interim rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

VI. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense (DoD), the Administrator of General Services (GSA), and the Administrator of the National Aeronautics and Space Administration (NASA) that urgent and compelling reasons exist to promulgate this interim rule without prior opportunity for public comment. This action is appropriate because imaging equipment and television items have already been added to the EPEAT® registry. Therefore, under the requirements of E.O.s 13423 and 13514, agencies are already required to fulfill at least 95 percent of their annual acquisition requirement for imaging equipment and televisions with EPEAT-registered products. For these reasons, it is important that contracting personnel be aware of, and include in solicitations as appropriate, the new requirements. However, pursuant to 41 U.S.C. 1707 and FAR 1.501–3(b), DoD, GSA, and NASA will consider public comments

received in response to this interim rule in the formation of the final rule.

List of Subjects in 48 CFR Parts 2, 7, 11, 23, 39, and 52

Government procurement.

Dated: June 13, 2014.

William Clark,

Acting Director, Office of Government-Wide Acquisition Policy, Office of Acquisition Policy, Office of Government-Wide Policy.

Therefore, DoD, GSA, and NASA amend 48 CFR parts 2, 7, 11, 23, 39, and 52 as set forth below:

■ 1. The authority citation for 48 CFR parts 2, 7, 11, 23, 39, and 52 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 51 U.S.C. 20113.

PART 2—DEFINITIONS OF WORDS AND TERMS

2.101 [Amended]

■ 2. Amend section 2.101 by removing the definition "Facsimile".

PART 7—ACQUISITION PLANNING

7.103 [Amended]

■ 3. Amend section 7.103 by removing from paragraph (p)(2) "(EPEAT)" and adding "(EPEAT®)" in its place.

PART 11—DESCRIBING AGENCY NEEDS

11.002 [Amended]

■ 4. Amend section 11.002 by removing from paragraph (d)(1)(v) "EPEAT" and adding "EPEAT®" in its place.

PART 23—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

23.000 [Amended]

■ 5. Amend section 23.000 by removing from paragraph (d) "EPEAT" and adding "EPEAT®" in its place.

23.103 [Amended]

■ 6. Amend section 23.103 by removing from paragraph (a)(4) "EPEAT" and adding "EPEAT®" in its place.

■ 7. Revise section 23.701 to read as follows:

23.701 Definitions.

As used in this subpart—

Computer means a device that performs logical operations and processes data. Computers are composed of, at a minimum:

(1) A central processing unit (CPU) to perform operations;

(2) User input devices such as a keyboard, mouse, digitizer, or game controller; and

(3) A computer display screen to output information. Computers include both stationary and portable units, including desktop computers, integrated desktop computers, notebook computers, thin clients, and workstations. Although computers must be capable of using input devices and computer displays, as noted in paragraphs (2) and (3) of this definition, computer systems do not need to include these devices on shipment to meet this definition. This definition does not include server computers, gaming consoles, mobile telephones, portable hand-held calculators, portable digital assistants (PDAs), MP3 players, or any other mobile computing device with displays less than 4 inches, measured diagonally.

Computer display means a display screen and its associated electronics encased in a single housing or within the computer housing (*e.g.*, notebook or integrated desktop computer) that is capable of displaying output information from a computer via one or more inputs such as a VGA, DVI, USB, DisplayPort, and/or IEEE 1394–2008™, Standard for High Performance Serial Bus. Examples of computer display technologies are the cathode-ray tube (CRT) and liquid crystal display (LCD).

Desktop computer means a computer where the main unit is intended to be located in a permanent location, often on a desk or on the floor. Desktops are not designed for portability and utilize an external computer display, keyboard, and mouse. Desktops are designed for a broad range of home and office applications.

Electronic products means products that are dependent on electric currents or electromagnetic fields in order to work properly.

Imaging equipment means the following products:

(1) *Copier*—A commercially available imaging product with a sole function of the production of hard copy duplicates from graphic hard-copy originals. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as copiers or upgradeable digital copiers (UDCs).

(2) *Digital duplicator*—A commercially available imaging product that is sold in the market as a fully automated duplicator system through the method of stencil duplicating with digital reproduction functionality. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as digital duplicators.

(3) *Facsimile machine (fax machine)*—A commercially available imaging product whose primary functions are scanning hard-copy originals for electronic transmission to remote units and receiving similar electronic transmissions to produce hard-copy output. Electronic transmission is primarily over a public telephone system but also may be via computer network or the Internet. The product also may be capable of producing hard copy duplicates. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as fax machines.

(4) *Mailing machine*—A commercially available imaging product that serves to print postage onto mail pieces. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as mailing machines.

(5) *Multifunction device (MFD)*—A commercially available imaging product, which is a physically integrated device or a combination of functionally integrated components, that performs two or more of the core functions of copying, printing, scanning, or faxing. The copy functionality as addressed in this definition is considered to be distinct from single-sheet convenience copying offered by fax machines. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as MFDs or multifunction products.

(6) *Printer*—A commercially available imaging product that serves as a hard-copy output device and is capable of receiving information from single-user or networked computers, or other input devices (*e.g.*, digital cameras). The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as printers, including printers that can be upgraded into MFDs in the field.

(7) *Scanner*—A commercially available imaging product that functions as an electro-optical device for converting information into electronic images that can be stored, edited, converted, or transmitted, primarily in a personal computing environment. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended

to cover products that are marketed as scanners.

Integrated desktop computer means a desktop system in which the computer and computer display function as a single unit that receives its AC power through a single cable. Integrated desktop computers come in one of two possible forms:

(1) A system where the computer display and computer are physically combined into a single unit; or

(2) A system packaged as a single system where the computer display is separate but is connected to the main chassis by a DC power cord and both the computer and computer display are powered from a single power supply. As a subset of desktop computers, integrated desktop computers are typically designed to provide similar functionality as desktop systems.

Notebook computer means a computer designed specifically for portability and to be operated for extended periods of time either with or without a direct connection to an AC power source. Notebooks must utilize an integrated computer display and be capable of operation off of an integrated battery or other portable power source. In addition, most notebooks use an external power supply and have an integrated keyboard and pointing device. Notebook computers are typically designed to provide similar functionality to desktops, including operation of software similar in functionality to that used in desktops. Docking stations are considered accessories for notebook computers, not notebook computers. Tablet PCs, which may use touch-sensitive screens along with, or instead of, other input devices, are considered notebook computers.

Personal computer product means a computer, computer display, desktop computer, integrated desktop computer, or notebook computer.

Television, or *TV,* means a commercially available electronic product designed primarily for the reception and display of audiovisual signals received from terrestrial, cable, satellite, Internet Protocol TV (IPTV), or other digital or analog sources. A TV consists of a tuner/receiver and a display encased in a single enclosure. The product usually relies upon a cathode-ray tube (CRT), liquid crystal display (LCD), plasma display, or other display technology. Televisions with computer capability (*e.g.,* computer input port) may be considered to be a TV as long as they are marketed and sold to consumers primarily as televisions.

■ 8. Revise section 23.704 to read as follows:

23.704 Electronic product environmental assessment tool.

(a)(1) *General.* As required by E.O.s 13423 and 13514, agencies shall acquire Electronic Product Environmental Assessment Tool (EPEAT®)-registered electronic products, unless—

(i) There is no EPEAT® standard for such products; or

(ii) The agency head, in accordance with agency procedures, determines that—

(A) No EPEAT®-registered product meets agency requirements; or

(B) The EPEAT®-registered product will not be cost effective over the life of the product.

(2) This subpart applies to acquisitions of electronic products to be used in the United States, unless otherwise provided by agency procedures. When acquiring electronic products to be used outside the United States, agencies must use their best efforts to comply with this subpart.

(b) *Personal computer products, imaging equipment, and televisions.* These are categories of EPEAT®-registered electronic products.

(1) The IEEE 1680.1™-2009 Standard for the Environmental Assessment of Personal Computer Products, the IEEE 1680.2™-2012 Standard for the Environmental Assessment of Imaging Equipment, and the IEEE 1680.3™-2012 Standard for the Environmental Assessment of Televisions—

(i) Were issued by the Institute of Electrical and Electronics Engineers, Inc., on March 5, 2010; October 19, 2012, and October 19, 2012, respectively;

(ii) Are voluntary consensus standards consistent with section 12(d) of Pub. L. 104–113 (15 U.S.C. 272 note), the "National Technology Transfer and Advancement Act of 1995," (see 11.102);

(iii) Meets EPA-issued guidance on environmentally preferable products and services; and

(iv) Are described in more detail at *www.epa.gov/epeat.*

(2) A list of EPEAT® product categories and EPEAT®-registered electronic products that are in conformance with these standards can be found at *www.epa.gov/epeat.*

(3) EPEAT® electronic products are designated "bronze-," "silver-," or "gold-" registered.

(4) Agencies shall, at a minimum, acquire EPEAT® bronze-registered products.

(5) Agencies are encouraged to acquire EPEAT® silver- or gold-registered products.

■ 9. Amend section 23.705 by redesignating paragraph (b) as paragraph (d), and adding new paragraphs (b) and (c), and revising the newly redesignated paragraph (d) to read as follows:

23.705 Contract clauses.

* * * * *

(b)(1) Unless an exception applies in accordance with 23.704(a), insert the clause at 52.223–13, Acquisition of EPEAT®-Registered Imaging Equipment, in all solicitations and contracts when imaging equipment (copiers, digital duplicators, facsimile machines, mailing machines, multifunction devices, printers, and scanners) will be—

(i) Delivered;

(ii) Acquired by the contractor for use in performing services at a Federally controlled facility; or

(iii) Furnished by the contractor for use by the Government.

(2) Agencies may use the clause with its Alternate I when there are sufficient EPEAT® silver- or gold-registered products available to meet agency needs.

(c)(1) Unless an exception applies in accordance with 23.704(a), insert the clause at 52.223–14, Acquisition of EPEAT®-Registered Televisions, in all solicitations and contracts when televisions will be—

(i) Delivered;

(ii) Acquired by the contractor for use in performing services at a Federally controlled facility; or

(iii) Furnished by the contractor for use by the Government.

(2) Agencies may use the clause with its Alternate I when there are sufficient EPEAT® silver- or gold-registered products available to meet agency needs.

(d)(1) Unless an exception applies in accordance with 23.704(a), insert the clause at 52.223–16, Acquisition of EPEAT®-Registered Personal Computer Products, in all solicitations and contracts when personal computer products will be—

(i) Delivered;

(ii) Acquired by the contractor for use in performing services at a Federally controlled facility; or

(iii) Furnished by the contractor for use by the Government.

(2) Agencies may use the clause with its Alternate I when there are sufficient EPEAT® silver- or gold-registered products available to meet agency needs.

PART 39—ACQUISITION OF INFORMATION TECHNOLOGY

39.101 [Amended]

■ 10. Amend section 39.101 by removing from paragraph (b)(1)(ii) "(EPEAT®)" and adding "(EPEAT)" in its place.

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 11. Amend section 52.212–5 by—
■ a. Revising the date of the clause;
■ b. Redesignating paragraphs (b)(38) through (54) as paragraphs (b)(40) through (56);
■ c. Adding new paragraphs (b)(38) and (39); and
■ d. Revising the newly redesignated paragraph (b)(41).

The revised and added text reads as follows:

52.212–5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items.

* * * * *

Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items (Jun 2014)

* * * * *

(b) * * *

____(38)(i) 52.223–13, Acquisition of EPEAT®-Registered Imaging Equipment (Jun 2014)+(E.O.s 13423 and 13514).

(ii) Alternate I (Jun 2014) of 52.223–13.

____(39)(i) 52.223–14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514).

(ii) Alternate I (Jun 2014) of 52.223–14.

* * * * *

____(41)(i) 52.223–16, Acquisition of EPEAT®-Registered Personal Computer Products (Jun 2014) (E.O.s 13423 and 13514).

(ii) Alternate I (Jun 2014) of 52.223–16.

* * * * *

■ 12. Add sections 52.223–13 and 52.223–14 to read as follows:

52.223–13 Acquisition of EPEAT®-Registered Imaging Equipment.

As prescribed in 23.705(b)(1), insert the following clause:

Acquisition of Epeat®-Registered Imaging Equipment (Jun 2014)

(a) *Definitions.* As used in this clause—

Imaging equipment means the following products:

(1) *Copier*—A commercially available imaging product with a sole function of the production of hard copy duplicates from graphic hard-copy originals. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as copiers or upgradeable digital copiers (UDCs).

(2) *Digital duplicator*—A commercially available imaging product that is sold in the market as a fully automated duplicator system through the method of stencil duplicating with digital reproduction functionality. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as digital duplicators.

(3) *Facsimile machine (fax machine)*—A commercially available imaging product whose primary functions are scanning hard-copy originals for electronic transmission to remote units and receiving similar electronic transmissions to produce hard-copy output. Electronic transmission is primarily over a public telephone system but also may be via computer network or the Internet. The product also may be capable of producing hard copy duplicates. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as fax machines.

(4) *Mailing machine*—A commercially available imaging product that serves to print postage onto mail pieces. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as mailing machines.

(5) *Multifunction device (MFD)*—A commercially available imaging product, which is a physically integrated device or a combination of functionally integrated components, that performs two or more of the core functions of copying, printing, scanning, or faxing. The copy functionality as addressed in this definition is considered to be distinct from single-sheet convenience copying offered by fax machines. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as MFDs or multifunction products.

(6) *Printer*—A commercially available imaging product that serves as a hard-copy output device and is capable of receiving information from single-user or networked computers, or other input devices (*e.g.,* digital cameras). The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as printers, including printers that can be upgraded into MFDs in the field.

(7) *Scanner*—A commercially available imaging product that functions as an electro-optical device for converting information into electronic images that can be stored, edited, converted, or transmitted, primarily in a personal computing environment. The unit is capable of being powered from a wall outlet or from a data or network connection. This definition is intended to cover products that are marketed as scanners.

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only imaging equipment that, at the time of submission of proposals and at the time of award, was EPEAT® bronze-registered or higher.

(c) For information about EPEAT®, see *www.epa.gov/epeat.*

(End of clause)

Alternate I (Jun 2014). As prescribed in 23.705(b)(2), substitute the following paragraph (b) for paragraph (b) of the basic clause:

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for contractor use at a Federally controlled facility, only imaging equipment that, at the time of submission of proposals and at the time of award, was EPEAT silver-registered or gold-registered.

52.223–14 Acquisition of EPEAT®-Registered Televisions.

As prescribed in 23.705(c)(1), insert the following clause:

Acquisition of Epeat®-Registered Televisions (Jun 2014)

(a) *Definitions.* As used in this clause—

Television or *TV* means a commercially available electronic product designed primarily for the reception and display of audiovisual signals received from terrestrial, cable, satellite, Internet Protocol TV (IPTV), or other digital or analog sources. A TV consists of a tuner/receiver and a display encased in a single enclosure. The product usually relies upon a cathode-ray tube (CRT), liquid crystal display (LCD), plasma display, or other display technology. Televisions with computer capability (*e.g.,* computer input port) may be considered to be a TV as long as they are marketed and sold to consumers primarily as televisions.

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only televisions that, at the time of submission of proposals and at the time of award, were EPEAT® bronze-registered or higher.

(c) For information about EPEAT®, see *www.epa.gov/epeat.*

(End of clause)

Alternate I (Jun 2014). As prescribed in 23.705(c)(2), substitute the following paragraph (b) for paragraph (b) of the basic clause:

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only televisions that, at the time of submission of proposals and at the time of award, were EPEAT® silver-registered or gold-registered.

■ 13. Revise section 52.223–16 to reads as follows:

52.223–16 Acquisition of EPEAT-Registered Personal Computer Products.

As prescribed in 23.705(d)(1), insert the following clause:

Acquisition of Epeat®-Registered Personal Computer Products (Jun 2014)

(a) *Definitions.* As used in this clause—

Computer means a device that performs logical operations and processes data. Computers are composed of, at a minimum:

(1) A central processing unit (CPU) to perform operations;

(2) User input devices such as a keyboard, mouse, digitizer, or game controller; and

(3) A computer display screen to output information. Computers include both stationary and portable units, including desktop computers, integrated desktop computers, notebook computers, thin clients, and workstations. Although computers must be capable of using input devices and computer displays, as noted in (2) and (3) above, computer systems do not need to include these devices on shipment to meet this definition. This definition does not include server computers, gaming consoles, mobile telephones, portable hand-held calculators, portable digital assistants (PDAs), MP3 players, or any other mobile computing device with displays less than 4 inches, measured diagonally.

Computer display means a display screen and its associated electronics encased in a single housing or within the computer housing (*e.g.*, notebook or integrated desktop computer) that is capable of displaying output information from a computer via one or more inputs such as a VGA, DVI, USB, DisplayPort, and/or IEEE 1394–2008™, Standard for High Performance Serial Bus. Examples of computer display technologies are the cathode-ray tube (CRT) and liquid crystal display (LCD).

Desktop computer means a computer where the main unit is intended to be located in a permanent location, often on a desk or on the floor. Desktops are not designed for portability and utilize an external computer display, keyboard, and mouse. Desktops are designed for a broad range of home and office applications.

Integrated desktop computer means a desktop system in which the computer and computer display function as a single unit that receives its AC power through a single cable. Integrated desktop computers come in one of two possible forms:

(1) A system where the computer display and computer are physically combined into a single unit; or

(2) A system packaged as a single system where the computer display is separate but is connected to the main chassis by a DC power cord and both the computer and computer display are powered from a single power supply. As a subset of desktop computers, integrated desktop computers are typically designed to provide similar functionality as desktop systems.

Notebook computer means a computer designed specifically for portability and to be operated for extended periods of time either with or without a direct connection to an AC power source. Notebooks must utilize an integrated computer display and be capable of operation off of an integrated battery or other portable power source. In addition, most notebooks use an external power supply and have an integrated keyboard and pointing device. Notebook computers are typically designed to provide similar functionality to desktops, including operation of software similar in functionality to that used in desktops. Docking stations are considered accessories for notebook computers, not notebook computers. Tablet PCs, which may use touch-sensitive screens along with, or instead of, other input devices, are considered notebook computers.

Personal computer product means a computer, computer display, desktop computer, integrated desktop computer, or notebook computer.

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only personal computer products that, at the time of submission of proposals and at the time of award, were EPEAT® bronze-registered or higher.

(c) For information about EPEAT, see *www.epa.gov/epeat.*

(End of clause)

Alternate I (Jun 2014). As prescribed in 23.705(d)(2), substitute the following paragraph (b) for paragraph (b) of the basic clause:

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only personal computer products that, at the time of submission of proposals and at the time of award, were EPEAT® silver-registered or gold-registered.

[FR Doc. 2014–14376 Filed 6–23–14; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 19

[FAC 2005–75; FAR Case 2013–010; Item II; Docket 2013–0010, Sequence 1]

RIN 9000–AM59

Federal Acquisition Regulation; Contracting With Women-Owned Small Business Concerns

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: DoD, GSA, and NASA have adopted as final, without change, an interim rule amending the Federal Acquisition Regulation (FAR) to remove the dollar limitation for set-asides to economically disadvantaged women-owned small business concerns and to women-owned small business concerns eligible under the Women-Owned Small Business Program.

DATES: *Effective Date:* June 24, 2014.

FOR FURTHER INFORMATION CONTACT: Mr. Karlos Morgan, Procurement Analyst, at 202–501–2364, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755. Please cite FAC 2005–75, FAR Case 2013–010.

SUPPLEMENTARY INFORMATION:

I. Background

DoD, GSA, and NASA published an interim rule in the **Federal Register** at 78 FR 37692 on June 21, 2013, to implement section 1697 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Pub. L. 112–239), which amended section 8(m) of the Small Business Act, (15 U.S.C. 637(m)). Section 1697 of the NDAA for FY 2013 amended section 8(m) by removing the dollar limitation for set-asides to economically disadvantaged women-owned small business (EDWOSB)

concerns, and eligible women-owned small business (WOSB) concerns (see 13 CFR 127.200–13 and 127.305 for eligibility and certification requirements), in industries determined by the Small Business Administration (SBA) to be underrepresented or substantially underrepresented by small business concerns owned and controlled by women, with respect to Federal procurement.

Pursuant to this statutory change and in conformance with the Small Business Administration's (SBA's) revised regulations at 13 CFR 127.503(a)(2) and 127.503(b)(2) (see SBA's interim final rule published in the **Federal Register** at 78 FR 26504 on May 7, 2013), an interim FAR rule was published in the **Federal Register** at 78 FR 37692 on June 21, 2013, removing the dollar limitations for set-asides to EDWOSB concerns or WOSB concerns eligible under the WOSB Program. The interim rule allows contracting officers to set aside acquisitions for competition restricted to EDWOSB concerns or WOSB concerns eligible under the WOSB Program at any dollar level above the micro-purchase threshold, provided the other requirements for a set-aside under the WOSB Program are met.

II. Discussion and Analysis

The comment period for the FAR interim rule closed on August 20, 2013. No public comments were received; therefore DoD, GSA, and NASA are finalizing the interim rule without change.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD, GSA, and NASA have prepared a Final Regulatory Flexibility Analysis (FRFA) consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The FRFA is summarized as follows:

The objective of this final rule is to finalize the changes set forth in section 1697 of the National Defense Authorization Act for fiscal year 2013. Section 1697 eliminated the statutory limitations (thresholds) at section 8(m) of the Small Business Act, (15 U.S.C. 637(m)), for set-asides to economically disadvantaged women-owned small business (EDWOSB) concerns and to women-owned small business (WOSB) concerns eligible under the WOSB Program in industries that are underrepresented or substantially underrepresented by WOSB concerns. This final rule follows an interim rule that was published in the **Federal Register** at 78 FR 37692 on June 21, 2013, which removed the set-aside limitations set forth at FAR 19.1505(b)(2) and (c)(2), in keeping with the statutory change and SBA's revised regulations.

There were no comments received in response to the interim rule by its closing date of August 20, 2013. Therefore, the changes made in the interim rule will be adopted as final, without change, allowing contracting officers to set aside acquisitions for competition restricted to EDWOSB concerns or WOSB concerns eligible under the WOSB Program at any dollar level above the micro-purchase threshold, provided the other requirements for a set-aside under the WOSB Program are met.

Analysis of the Federal Procurement Data System from April 1, 2011 (the implementation date of the WOSB Program) through January 1, 2013, revealed that there were approximately 26,712 WOSB concerns, including 131 EDWOSB concerns and 388 WOSB concerns eligible under the WOSB Program, that received obligated funds from Federal contract awards, task or delivery orders, and modifications to existing contracts. This final rule may have a significant positive economic impact on EDWOSB concerns competing for contracting opportunities in industries determined by SBA to be underrepresented by WOSB concerns and may positively affect WOSB concerns eligible under the WOSB Program competing in industries determined by SBA to be substantially underrepresented by WOSB concerns, since removing the dollar threshold for set-asides under the WOSB Program will provide greater access to Federal contracting opportunities. However, this rule may have a negative effect on firms that are women-owned but are not WOSB Program participants and small businesses that are not owned by women because those firms may now be excluded from competition on some acquisitions that previously could not be set aside for EDWOSB concerns or WOSB concerns eligible under the WOSB Program due to the dollar thresholds and now will be set aside.

This final rule does not impose new recordkeeping or reporting requirements. The rule does not duplicate, overlap, or conflict with any other Federal rules. There are no alternatives to the rule that would accomplish the stated objectives of the statute.

Interested parties may obtain a copy of the FRFA from the Regulatory Secretariat. The Regulatory Secretariat has submitted a copy of the FRFA to the Chief Counsel for Advocacy of the Small Business Administration.

V. Paperwork Reduction Act

The final rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 19

Government procurement.

Dated: June 13, 2014.

William Clark,

Acting Director, Office of Government-Wide Acquisition Policy, Office of Acquisition Policy, Office of Government-Wide Policy.

Interim Rule Adopted as Final Without Change

■ Accordingly, the interim rule amending 48 CFR part 19 which was published in the **Federal Register** at 78 FR 37692 on June 21, 2013, is adopted as a final rule without change.

[FR Doc. 2014–14381 Filed 6–23–14; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 31

[FAC 2005–75; FAR Case 2014–012; Item III; Docket 2014–0012, Sequence 1]

RIN 9000–AM75

Federal Acquisition Regulation; Limitation on Allowable Government Contractor Compensation Costs

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Interim rule.

SUMMARY: DoD, GSA, and NASA are issuing an interim rule amending the Federal Acquisition Regulation (FAR) to implement section 702 of the Bipartisan Budget Act of 2013. In accordance with section 702, the interim rule revises the allowable cost limit relative to the compensation of contractor and subcontractor employees. Also, in accordance with section 702, this interim rule implements the possible exception to this allowable cost limit for scientists, engineers, or other specialists upon an agency determination that such

exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

DATES: *Effective Date:* June 24, 2014.

Comment Date: Interested parties should submit written comments to the Regulatory Secretariat on or before August 25, 2014 to be considered in the formulation of a final rule.

ADDRESSES: Submit comments identified by FAC 2005–75, FAR Case 2014–012, by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching for "FAR Case 2014–012". Select the link "Comment Now" that corresponds with "FAR Case 2014–012." Follow the instructions provided at the "Comment Now" screen. Please include your name, company name (if any), and "FAR Case 2014–012" on your attached document.
- *Fax:* 202–501–4067.
- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), ATTN: Ms. Flowers, 1800 F Street NW., 2nd Floor, Washington, DC 20405.

Instructions: Please submit comments only and cite FAC 2005–75, FAR Case 2014–012, in all correspondence related to this case. All comments received will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Edward N. Chambers, Procurement Analyst, at 202–501–3221 for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755. Please cite FAC 2005–75, FAR Case 2014–012.

SUPPLEMENTARY INFORMATION:

I. Background

The Bipartisan Budget Act of 2013 (Pub. L. 113–67) was enacted on December 26, 2013. Section 702 of the law amended the allowable cost limits of contractor and subcontractor employee compensation. Specifically, section 702 revised the application of the compensation cap, the amount of the cap, and the associated formula for annually adjusting it. The existing formula for determining the limit on the allowability of contractor and subcontractor employee compensation costs under 41 U.S.C. 1127 was repealed. Section 702 of the law set the initial limitation on allowable contractor and subcontractor employee compensation costs at $487,000 per year, which will be adjusted annually to reflect the change in the Employment Cost Index for all workers as calculated by the Bureau of Labor Statistics.

This interim rule also implements the authority provided by 10 U.S.C. 2324(e)(1)(P) and 41 U.S.C. 4304(a)(16), as amended by section 702(a), in which Congress has authorized the head of executive agencies to establish "one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities."

In section 702(c), Congress stated that the revised compensation cap "shall apply only with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act". As the date of enactment was December 26, 2013, 180 days after is June 24, 2014. Accordingly, the revised compensation cap in this interim rule will apply to the costs of compensation for all contractor and subcontractor employees for contracts awarded, and costs incurred, on or after June 24, 2014.

II. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

III. Regulatory Flexibility Act

DoD, GSA, and NASA do not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* However, an Initial Regulatory Flexibility Analysis (IRFA) has been prepared and is summarized as follows:

An analysis of data in the Federal Procurement Data System (FPDS) revealed that most contracts awarded to small entities are awarded on a fixed-price basis, and do not require application of the cost principle contained in this rule.

The interim rule imposes no reporting, recordkeeping, or other information collection requirements. The rule does not duplicate, overlap, or conflict with any other Federal rules, and there are no known significant alternatives to the rule.

The Regulatory Secretariat has submitted a copy of the IRFA to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the Regulatory Secretariat. DoD, GSA, and NASA invite comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD, GSA, and NASA will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (FAC 2005–75, FAR Case 2014–012) in correspondence.

IV. Paperwork Reduction Act

The interim rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

V. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense (DoD), the Administrator of General Services Administration (GSA), and the Administrator of the National Aeronautics and Space Administration (NASA) that urgent and compelling reasons exist to promulgate this interim rule without prior opportunity for public comment. This action is necessary because section 702 of Pub. L. 113–67, signed into law on December 26, 2013, required that it shall apply only with respect to the costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act (June 24, 2014). This statute revises the allowable cost limit relative to the compensation costs of contractor and subcontractor employees. Therefore, issuing an interim rule that is effective upon publication, prior to the receipt of public comment will allow agencies and contractors to implement the requirements of this law by the required date of June 24, 2014. Pursuant to 41 U.S.C. 1707 and FAR 1.501–3(b), DoD, GSA, and NASA will consider public comments received in response to this interim rule in the formation of the final rule.

List of Subjects in 48 CFR Part 31

Government procurement.

Dated: June 13, 2014.

William Clark,

Acting Director, Office of Government-Wide Acquisition Policy, Office of Acquisition Policy, Office of Government-Wide Policy.

Therefore, DoD, GSA, and NASA amend 48 CFR part 31, as set forth below:

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

■ 1. The authority citation for 48 CFR part 31 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 51 U.S.C. 20113.

■ 2. Amend section 31.205–6 by—

■ a. Revising the heading of paragraph (p), and paragraphs (p)(1) and (p)(2);

■ b. Redesignating paragraph (p)(3) as paragraph (p)(4); and

■ c. Adding a new paragraph (p)(3).

The revised and added text reads as follows:

31.205–6 Compensation for personal services.

* * * * *

(p) *Limitation on allowability of compensation.* (1) *Senior executive compensation limit for contracts awarded before June 24, 2014.* (i) *Applicability.* This paragraph (p)(1) applies to the following:

(A) To all executive agencies, other than DoD, NASA, and the Coast Guard, for contracts awarded before June 24, 2014;

(B) To DoD, NASA, and the Coast Guard for contracts awarded before December 31, 2011;

(ii) *Costs incurred after January 1, 1998.* Costs incurred after January 1, 1998 for the compensation of a senior executive in excess of the benchmark compensation amount determined applicable for the contractor fiscal year by the Administrator, Office of Federal Procurement Policy (OFPP), under 41 U.S.C 1127 as in effect prior to June 24, 2014, are unallowable (10 U.S.C. 2324(e)(1)(P) and 41 U.S.C 4304(a)(16), as in effect prior to June 24, 2014). This limitation is the sole statutory limitation on allowable senior executive compensation costs incurred after January 1, 1998, under contracts awarded before June 24, 2014, and applies whether or not the affected contracts were previously subject to a statutory limitation on such costs. (Note that pursuant to section 804 of Pub. L. 105–261, the definition of "senior executive" in paragraph (p)(4) has been changed for compensation costs incurred after January 1, 1999.)

(2) *All employee compensation limit for contracts awarded before June 24, 2014.* (i) *Applicability.* This paragraph (p)(2) applies to DOD, NASA, and the Coast Guard for contracts awarded on or after December 31, 2011 and before June 24, 2014;

(ii) *Costs incurred after January 1, 2012.* Costs incurred after January 1, 2012, for the compensation of any contractor employee in excess of the benchmark compensation amount, determined applicable for the contractor fiscal year by the Administrator, Office of Federal Procurement Policy (OFPP) under 41 U.S.C 1127 are unallowable (10 U.S.C. 2324(e)(1)(P)).

(3) *All employee compensation limit for contracts awarded on or after June 24, 2014.* (i) *Applicability.* This paragraph (p)(3) applies to all executive agency contracts awarded on or after June 24, 2014, and any subcontracts thereunder;

(ii) *Costs incurred on or after June 24, 2014.* Costs incurred on or after June 24, 2014, for the compensation of all employees in excess of the benchmark compensation amount determined applicable for the contractor fiscal year by the Administrator of the Office of Federal Procurement Policy are unallowable. See *http://www.whitehouse.gov/omb/procurement/cecp.*

(iii) *Exceptions.* An agency head may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities. In making such a determination, the agency shall consider, at a minimum, for each contractor employee in a narrowly targeted excepted position—

(A) The amount of taxpayer funded compensation to be received by each employee; and

(B) The duties and services performed by each employee.

* * * * *

[FR Doc. 2014–14379 Filed 6–23–14; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket No. FAR 2014–0052, Sequence No. 3]

Federal Acquisition Regulation; Federal Acquisition Circular 2005–75; Small Entity Compliance Guide

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Small Entity Compliance Guide.

SUMMARY: This document is issued under the joint authority of DOD, GSA, and NASA. This *Small Entity Compliance Guide* has been prepared in accordance with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It consists of a summary of the rules appearing in Federal Acquisition Circular (FAC) 2005–75, which amends the Federal Acquisition Regulation (FAR). An asterisk (*) next to a rule indicates that a regulatory flexibility analysis has been prepared. Interested parties may obtain further information regarding these rules by referring to FAC 2005–75, which precedes this document. These documents are also available via the Internet at *http://www.regulations.gov.*

DATES: June 24, 2014.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact the analyst whose name appears in the table below. Please cite FAC 2005–75 and the FAR case number. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755.

RULES LISTED IN FAC 2005–75

Item	Subject	FAR Case	Analyst
*I	EPEAT Items (Interim)	2013–016	Chambers.
*II	Contracting with Women-Owned Small Business Concerns	2013–010	Morgan.
*III	Limitation on Allowable Government Contractor Compensation Costs (Interim)	2014–012	Chambers.

SUPPLEMENTARY INFORMATION: Summaries for each FAR rule follow. For the actual revisions and/or amendments made by these rules, refer to the specific item numbers and subjects set forth in the documents following these item summaries. FAC 2005–75 amends the FAR as specified below:

Item I—EPEAT Items (FAR Case 2013–016) (Interim)

This interim rule implements changes in the Electronic Product Environmental Assessment Tool (EPEAT®)-registry requirements at FAR subpart 23.7. The FAR requirement to procure EPEAT®-registered products is revised to incorporate the revised standard applicable to personal computer products and to add the standards for imaging equipment and televisions.

Item II—Contracting with Women-Owned Small Business Concerns (FAR Case 2013–010)

This final rule adopts as final, without change, an interim rule that amended FAR 19.1505 to remove the dollar limitation for set-asides for economically disadvantaged women-owned small business (EDWOSB) concerns or women-owned small business (WOSB) concerns eligible under the Women-Owned Small Business (WOSB) Program. The interim rule implemented section 1697 of the National Defense Authorization Act for Fiscal Year 2013, Public Law 112–239, which amended section 8(m) of the Small Business Act, (15 U.S.C. 637(m)).

As a result of this change, contracting officers may set aside acquisitions for competition restricted to EDWOSB concerns or WOSB concerns eligible under the WOSB Program at any dollar level above the micro-purchase threshold, provided the other requirements for a set-aside under the WOSB Program are met.

Item III—Limitation on Allowable Government Contractor Compensation Costs (FAR Case 2014–012) (Interim)

This interim rule amends the FAR to implement section 702 of the Bipartisan Budget Act of 2013. In accordance with section 702, this interim rule revises the allowable cost limit relative to the compensation of contractor and subcontractor employees. In the current FAR, this limitation on the allowability of compensation is an amount set annually by the Office of Federal Procurement Policy and covers all Federal agencies; it is currently $952,308. Under this interim rule, this limitation on a contractor's employee's compensation will be $487,000, adjusted annually to reflect the change in the Employment Cost Index for all workers as calculated by the Bureau of Labor Statistics. Also, in accordance with section 702, this interim rule implements the possible exception to this allowable cost limit for scientists, engineers, or other specialists upon an agency determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities. Because most contracts awarded to small businesses are awarded on a fixed-price basis, the impact of this compensation limitation on small businesses will be minimal.

Dated: June 13, 2014.

William Clark,

Acting Director, Office of Government-Wide Acquisition Policy, Office of Acquisition Policy, Office of Government-Wide Policy.

[FR Doc. 2014–14377 Filed 6–23–14; 8:45 am]

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FEDERAL REGISTER

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Part III

Department of the Interior

Fish and Wildlife Service
50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Three Foreign Parrot Species; Final Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R9–ES–2010–0099; 450 003 0115]

RIN 1018–AX50

Endangered and Threatened Wildlife and Plants; Three Foreign Parrot Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce a final rule to list the Philippine cockatoo *(Cacatua haematuropygia)* and the yellow-crested cockatoo *(C. sulphurea)* as endangered, and to list the white cockatoo *(C. alba)* as threatened under the Endangered Species Act of 1973, as amended (ESA). We are taking these actions in response to a petition to list these three cockatoo species as endangered or threatened under the ESA. We also finalize the special rule for the white cockatoo in conjunction with our final listing as threatened for this species.

DATES: This final action will be effective on July 24, 2014.

ADDRESSES: This final rule is available on the Internet at *http://www.regulations.gov* at Docket No. FWS–R9–ES–2010–0099. Comments and materials we received, as well as supporting documentation used in the preparation of this rule, are available for public inspection, by appointment, during normal business hours at: U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Suite 400, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Janine Van Norman, Chief, Branch of Foreign Species, Ecological Services Program, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203; telephone 703–358–2171. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Executive Summary

I. Purpose of the Regulatory Action

We are listing the Philippine cockatoo and the yellow-crested cockatoo as endangered and the white cockatoo as threatened under the Endangered Species Act (Act) (16 U.S.C. 1531 *et seq.*) because of habitat loss and degradation and poaching for the pet trade, which are the primary threats to the continued survival of these species.

II. Major Provisions of the Regulatory Action

This action lists the Philippine cockatoo and the yellow-crested cockatoo as endangered on the List of Endangered and Threatened Wildlife at 50 CFR 17.11(h). This action also lists the white cockatoo as threatened on the List of Endangered and Threatened Wildlife at 50 CFR 17.11(h), and allows the import into and export from the United States of certain captive-bred white cockatoos, and allows certain acts in interstate commerce of white cockatoos, without a permit under 50 CFR 17.32.

Background

The Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), is a law that was passed to prevent extinction of species by providing measures to help alleviate the loss of species and their habitats. Before a plant or animal species can receive the protection provided by the Act, it must first be added to the Federal List of Endangered and Threatened Wildlife or the Federal List of Endangered and Threatened Plants. Section 4 of the Act and its implementing regulations at 50 CFR part 424 set forth the procedures for adding species to these lists.

Previous Federal Actions

In our proposed rule, published August 9, 2011 (76 FR 49202), we announced that listing the Philippine cockatoo and yellow-crested cockatoo as endangered was warranted, and we issued a proposed rule to add these two species as endangered on the List of Endangered and Threatened Wildlife at 50 CFR 17.11(h). We found that listing the crimson shining parrot *(Prosopeia splendens)* as endangered or threatened was not warranted. We further found that listing the white cockatoo as threatened was warranted, and we issued a proposed rule to add that species as threatened on the List of Endangered and Threatened Wildlife at 50 CFR 17.11(h) as well as a proposed special rule under section 4(d) of the Act for white cockatoo.

During the public comment period, which ended on October 11, 2011, we received 234 comments from the public (see *http://www.regulations.gov,* docket number FWS–R9–ES–2010–0099). All comments, including names and addresses of commenters, have become part of the administrative record.

Petition History

On January 31, 2008, the Service received a petition dated January 29, 2008, from Friends of Animals, as represented by the Environmental Law Clinic, University of Denver, Sturm College of Law, requesting that we list 14 parrot species under the ESA. The petition clearly identified itself as a petition and included the requisite information required in the Code of Federal Regulations (50 CFR 424.14(a)). On July 14, 2009 (74 FR 33957), we published a 90-day finding in which we determined that the petition presented substantial scientific and commercial information to indicate that listing may be warranted for 12 of the 14 parrot species.

In our 90-day finding on this petition, we announced the initiation of a status review to list as endangered or threatened under the ESA the following 12 parrot species: Blue-headed macaw (*Primolius couloni*), crimson shining parrot (*Prosopeia splendens*), great green macaw (*Ara ambiguus*), grey-cheeked parakeet (*Brotogeris pyrrhoptera*), hyacinth macaw (*Anodorhynchus hyacinthinus*), military macaw (*Ara militaris*), Philippine cockatoo (*Cacatua haematuropygia*), red-crowned parrot (*Amazona viridigenalis*), scarlet macaw (*Ara macao*), white cockatoo (*Cacatua alba*), yellow-billed parrot (*Amazona collaria*), and yellow-crested cockatoo (*Cacatua sulphurea*). We initiated the status review to determine if listing each of the 12 species is warranted, and initiated a 60-day public comment period to allow all interested parties an opportunity to provide information on the status of these 12 species of parrots. The public comment period closed on September 14, 2009.

On October 24, 2009, and December 2, 2009, the Service received a 60-day notice of intent to sue from Friends of Animals and WildEarth Guardians, for failure to issue 12-month findings on the petition. On March 2, 2010, Friends of Animals and WildEarth Guardians filed suit against the Service for failure to make timely 12-month findings within the statutory deadline of the Act on the petition to list the 14 species (*Friends of Animals, et al.* v. *Salazar,* Case No. 10 CV 00357 D.D.C.).

On July 21, 2010, a settlement agreement was approved by the Court (*Friends of Animals, et al.* v. *Salazar,* Case No. 10 CV 00357 D.D.C.), in which the Service agreed to submit to the **Federal Register** by July 29, 2011, September 30, 2011, and November 30, 2011, determinations whether the petitioned action is warranted, not

warranted, or warranted but precluded by other listing actions for no less than 4 of the petitioned species on each date.

On August 9, 2011, the Service published in the **Federal Register** a 12-month status review finding for the crimson shining parrot (a finding that listing was not warranted) and a proposed rule for the following three parrot species: Philippine cockatoo, white cockatoo, and yellow-crested cockatoo (76 FR 49202).

On October 6, 2011, we published a 12-month status review finding for the red-crowned parrot (76 FR 62016); on October 11, 2011, we published a 12-month status review and proposed rule for the yellow-billed parrot (76 FR 62740); and on October 12, 2011, we published a 12-month status review for the blue-headed macaw and grey-cheeked parakeet (76 FR 63480).

On September 16, 2011, an extension to the settlement agreement was approved by the Court (CV–10–357, D. DC), in which the Service agreed to submit a determination for the remaining four petitioned species to the **Federal Register** by June 30, 2012.

On July 6, 2012, the Service published in the **Federal Register** a 12-month status review finding and proposed rule for the four following parrot species: Great green macaw and the military macaw (77 FR 40172), hyacinth macaw (77 FR 39965), and the scarlet macaw (77 FR 40222).

Upon publication in the **Federal Register** on August 9, 2011, of the 12-month status review finding and proposed rule for these species (76 FR 49202), we initiated a 60-day public comment period, which ended on October 11, 2011.

Summary of Comments

We base this action on a review of the best scientific and commercial information available, including all information we received during the public comment period. In the August 9, 2011, proposed rule, we requested that all interested parties submit information that might contribute to the development of a final rule. We also contacted appropriate scientific experts and organizations and invited them to comment on the proposed listing.

We reviewed all comments we received for substantive issues and new information regarding the proposed listing of these species, and we address those comments below. We received 243 comments, three of which were from peer reviewers; these comments are available at *http://www.regulations.gov* under Docket No. FWS–R9–ES–2010–0099. Many of the commenters supported the listings, some commenters objected to the rule, although many of the commenters did not appear to understand the criteria for listing under the Act. Therefore, we are providing clarification below. Many comments either simply opposed or objected without providing scientific or commercial information. The following summarizes the comments received and our responses.

Comments Regarding Special 4(d) Rule

Many commenters, while not opposed to the listing of the species, asked for a special rule under section 4(d) of the Act (also called a "4(d) rule") that would allow interstate trade of these species to occur.

Response

Section 4(d) of the Act allows the Service to establish special regulations only for species determined to be threatened under the ESA. The ESA specifies that 4(d) rules must be "necessary and advisable to provide for the conservation of such species." Special rules cannot be applied to species listed as endangered under the Act. Because we determined that listing the Philippine cockatoo and yellow-crested cockatoo as endangered under the ESA was warranted, we are prohibited from developing a special rule allowing interstate commerce for these two species. We proposed and are finalizing a special rule for the white cockatoo, in conjunction with our final rule to list the species as threatened, which would allow for interstate trade in this species without an ESA permit.

Comment Regarding Similarity in Appearance of Yellow-Crested Cockatoo to Sulphur-Crested Cockatoo

One commenter expressed concern that the similarity in appearance between the yellow-crested cockatoo (*Cacatua sulphurea*), native to Indonesia, and another species, the sulphur-crested cockatoo (*Cacatua galerita*), native to Australia, could lead to confusion by a law enforcement official.

Response

We acknowledge that these two species may be difficult to distinguish. In fact, the yellow-crested cockatoo (*Cacatua sulphurea*), which is the subject of this rule, is often inappropriately referred to as the sulphur-crested cockatoo. There are physical differences between the species. The yellow-crested cockatoo is smaller both in size and weight than the sulphur-crested cockatoo and can usually be distinguished by the lack of pale yellow coloring on its cheeks. The average weight of the sulphur-crested cockatoo is more than twice that of yellow-crested cockatoo, and the sulphur crested cockatoo length is an average 50 cm (19.69 inches), while the yellow-crested average length is 33 cm (13 in). The Service's Division of Law Enforcement is aware of both the similarity of appearance and the differences in legal status of these two species. Both species receive protections under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Wild Bird Conservation Act (WBCA). See Conservation Status for the Philippine Cockatoo section for a discussion of these two regulatory mechanisms. To assist pet owners in identifying their cockatoo, we have developed a factsheet which is available on our Web site. Please visit *http://www.fws.gov/endangered* for additional information.

Comment Suggesting Withdrawal of Proposed Listing Determinations

Several commenters, including bird breeders and the American Federation of Aviculture, objected to our findings (see *http://www.regulations.gov,* docket number FWS–R9–ES–2010–0099) and requested that the proposed listing determination be withdrawn.

Response

We thank all the commenters for their interest in the conservation of these species and thank those commenters who provided information for our consideration in making this listing determination. Under section 4(b) of the ESA, the Service is required to make determinations solely on the basis of the best scientific and commercial data available after conducting a review of the status of the species. When we published our proposed rule, we opened a public comment period during which we requested any additional information on the species being evaluated. In making this finding, we reviewed information provided within the petition, contacted species experts, and ensured that we have the most current information on these three species. Therefore, we have obtained and considered the "best scientific and commercial data available" in our species status review and in our listing determination. After careful consideration, we conclude that these listings under the Act are necessary for the conservation of the species.

Peer Review

In accordance with our policy, "Notice of Interagency Cooperative Policy for Peer Review in Endangered Species Act Activities," that was

published on July 1, 1994 (59 FR 34270), we sought the expert opinion of at least three appropriate independent specialists regarding this rule. The purpose of such review is to ensure listing decisions are based on scientifically sound data, assumptions, and analysis. We sent copies of the proposed rule to the peer reviewers immediately following publication in the **Federal Register**. We invited these peer reviewers to comment, during the public comment period, on the specific assumptions and the data that are the basis for our conclusions regarding the proposal to list as endangered the Philippine cockatoo (*Cacatua haematuropygia*) and the yellow-crested cockatoo (*C. sulphurea*), and to list as threatened the white cockatoo (*C. alba*), under the ESA. We received information from three peer reviewers.

We considered all comments and information we received during the comment period from peer reviewers on the proposed rule during preparation of this final rulemaking, and all comments have been documented for the final record.

Summary of Changes From Proposed Rule

This final rule incorporates changes to our proposed listing determination based on the comments that we received that are discussed above and newly available scientific or commercial information. Peer reviewers generally commented that the proposed rule was thorough and comprehensive. We made some technical corrections based on new, although limited, information. For example, one commenter pointed out that, with respect to white cockatoos, which require large nesting cavities (in large trees), the nonnative *Jatropha curcas* is cultivated as a large shrub rather than a tree. Therefore, it will never produce cavities large enough to be suitable for cockatoos. None of the information, however, changed our listing determinations.

Special rule for the white cockatoo. On March 12, 2013, we published in the **Federal Register** (78 FR 15624) a final rule listing the yellow-billed parrot as threatened with a special rule under section 4(d) of the Act, and correcting the salmon-crested cockatoo special rule under section 4(d) of the Act. In the preamble of that rule, we explained that we were adopting for yellow-billed parrot and correcting for salmon-crested cockatoo a provision that would allow certain acts in interstate commerce for yellow-billed parrots and salmon-crested cockatoos that may be conducted without a threatened species permit under 50 CFR 17.32. The provisions of that special rule, found at 50 CFR 17.41(c), are similar to and consistent with our intent in proposing the exceptions contained in the 4(d) rule for the white cockatoo. As discussed in further detail below, we are amending the regulations found at 50 CFR 17.41(c) to include the white cockatoo among the species in the parrot family to which 50 CFR 17.41(c) applies (see Special Rule).

Factors Affecting the Species

Section 4 of the ESA (16 U.S.C. 1533) and implementing regulations (50 CFR 424) set forth procedures for adding species to the Federal Lists of Endangered and Threatened Wildlife and Plants. Under section 4(a)(1) of the ESA, a species may be determined to be endangered or threatened based on any one or a combination of the following five factors:

(A) The present or threatened destruction, modification, or curtailment of its habitat or range;

(B) Overutilization for commercial, recreational, scientific, or educational purposes;

(C) Disease or predation;

(D) The inadequacy of existing regulatory mechanisms;

(E) Other natural or manmade factors affecting its continued existence.

In considering what factors might constitute a threat; we look beyond the actual or perceived exposure of the species to the factor to determine how the species responds to the factor and whether the factor causes actual impacts to the species. If there is exposure to a factor, but no response, or only a positive response, that factor is not a threat. If there is exposure and the species responds negatively, the factor may be a threat and we then attempt to determine how significant a factor it is. If the factor is significant, it may drive or contribute to the risk of extinction of the species such that it is considered to be a threat. In some cases, there is little information available regarding the status of the species, in part due to their remoteness.

This finding addresses the following three cockatoo species: Philippine cockatoo, white cockatoo, and yellow-crested cockatoo. For each of these species, we evaluated the five factors under ESA Section 4(a)(1) on the species. In some cases, we found that, under a particular factor, a threat was contributing to the extinction risk for multiple species, while some factors constituted a threat for some of the species, but not others. In some cases, the factors affecting species are the same or very similar, and in other cases the factors are unique. In each evaluation, we clearly identify what species is being addressed, and if the threat applies to more than one species.

Species Information

Cockatoos are found only in Australasia—a few archipelagos in Southeast Asia (Bismarck, East Timor, Indonesia, Philippines, Tanimbar, and Solomon), New Guinea, and Australia. Cockatoos are present on Lombok and Sulawesi, but not on Bali and Borneo (Cameron 2007, pp. 1–3). These oceanic islands have high levels of endemism, meaning the species that occur there are unique to those islands. Cockatoos are a distinct group of parrots (Order Psittaciformes), distinguished by the presence of an erectile crest (Cameron 2007, p. 1; Collar 1989, p. 5) and the lack of "dyck texture" in their feathers. Dyck texturing is a microscopic texturing that produces blue and green coloration and is present in the plumage of other parrots (Brown and Toft 1999, p. 141).

A. Philippine cockatoo (*Cacatua haematuropygia*)

Taxonomy and Species Description

The species was first taxonomically described by Müller in 1776 (BLI 2013a, p. 5). We accept the species as *C. haematuropygia,* which follows the Integrated Taxonomic Information System (ITIS 2011). The Philippine cockatoo, or red-vented cockatoo, is locally known as the "katala" and "kalangay," and has a helmet crest and a red undertail (Rowley 1997 in Boussekey 2000, p. 137).

Population Estimates

The population is estimated to be between 370–770 mature individuals, roughly equivalent to 550–1,200 individuals in total (BLI 2013a, p. 6). Surveys indicated that until around the 1980s, the Philippine cockatoo was fairly common within the Philippine archipelago (BLI 2013a; Boussekey 2000, p. 138; Collar et al. 1998). Historically, it was known to exist on 52 islands in the Philippines; currently it is believed to exist on 8 islands (BLI 2011, p. 1).

The species' current range is significantly reduced from its historical range. In the past, the species was reported to have been commonly found throughout the Philippines, except for northern and central Luzon (Collar et al. 1999 in Widmann and Widmann 2008, p. 23; DuPont 1971 in Boussekey 2000, p. 138). It was common throughout the Philippines as recently as the 1950s. Between 1980 and 2000, there was a 60 to 90 percent population decline throughout its range (Boussekey 2000, p.

138). In the early 1990s, the population was estimated to be between 1,000 and 4,000 (Tabaranza 1992 and Lambert 1994 in BLI 2001, p. 1,681).

Snyder et al. (2000) reported the following population surveys. A 1991 survey estimated between 800 and 3,000 birds exist on Palawan. Pandanan, Bugsok, and Bancalan Islands were thought to support 100 to 300 individuals and Dumaran 150 to 250 individuals, and possibly a few hundred were thought to exist in the Tawi-Tawi region (Lambert 1994; 1993). A single pair was found on Siquijor in 1991 (Evans et al. 1993). A few were found at Mount Isarog, Luzon in 1988 (Goodman and Gonzales 1990), and a few pairs were found in Mindoro at Malpalon (Dutson et al. 1992). Some birds were observed on the island of Masbate in 1993, and the species has been recorded a few times in singles or small numbers in Rajah Sikatuna National Park, on the island of Bohol since 1989 (Brooks et al. 1995b in BLI 2001, p. 1676). In 1994, two pairs were seen on Tawi-Tawi (Dutson in litt. 1997), and the species was considered widespread at that location in 1995–1996, although apparently more often seen in captivity than in the wild (two single specimens were observed in Batu-Batu and a single bird and a pair were observed in Buan) (Allen in litt. 1997). Three birds were observed on Simunul, Tawi-Tawi in 1996 (Allen in litt. 1997; Dutson et al. 1996). The species is considered extinct on the islands of Cebu (Brooks et al. 1995) and Negros (Brooks et al. 1992). Some islands may not hold viable populations, and may be functionally extinct.

Between 2004 and 2010, the population estimate decreased from between 1,000 and 4,000 individuals to between 450 and 1,245 individual birds in the wild (BLI 2013a; BLI 2010; Widmann and Widmann 2010, pers. comm.; Widmann and Widmann 2008, p. 23). This species currently is found in the Culasian Managed Resource Protected Area (CMRPA), the Polillo Island Group, Palawan, Dumaran Island, Pandanan and Bugsok Islands, Rasa Island, Tawi-Tawi, the Calamian group of islands, Malampaya, San Vicente, and possibly on Samar Island (Widmann and Widmann 2011, pers. comm.). An estimated additional 400 individuals may survive in the Sulu archipelago; however, only sparse information is available for this area (Widmann et al. 2010a; Widmann et al. 2009a; Widmann et al. 2007). Subpopulations away from Palawan and the Sulus are thought to be very small, and likely do not have viable populations (Widmann 2010, pers. comm). The extent these populations are interbreeding is unclear at this time. Detailed discussion of each of these areas follows.

TABLE 1—POPULATION COUNTS AND ESTIMATES OF PHILIPPINE COCKATOO BETWEEN 2007 AND 2010 ON ISLANDS IN THE PHILIPPINES

[Widmann et al. 2010a; Widmann et al. 2009a; Widmann et al. 2007].

Number of individuals	Location
60	Bugsok Island (40 to 80 estimated)
20	Burdeos, Polillo Islands
3	CMRPA, Palawan Island
23	Dumaran, Lagan
80	Pandanan Island
2	Patnanungan, Polillo Islands
280	Rasa Island
4	Samar
200	Tawi-Tawi (100 to 400 estimated)
672	TOTAL *

* Note: This is not a full population survey; it documents birds actually counted, observed, or estimated (Widmann 2010, pers. comm.).

Biology, Distribution, and Habitat

The Philippine cockatoo is endemic to the Philippines, an archipelago of approximately 7,000 islands. The total area of the Philippines is 30,000,000 hectares (74,131,614 acres) (Kummer 1991, p. 44). The Philippine cockatoo requires lowland primary or secondary forests with suitable nesting tree cavities and food sources, within or adjacent to riparian or coastal areas with mangroves (BLI 2013a). The species is reported to use regenerating forest and even heavily degraded forest, as long as emergent nest trees survive. However, its nest sites are restricted to lowlands (Widmann and Widmann 2010, pers. comm).

This species is a food generalist; its diet varies based on the seasons. It consumes seeds, legumes, fruit, flowers, buds, and nectar. It will also eat agricultural crops such as corn and rice, and has been observed feeding on *Moringa oleifera* (commonly known as malunggay or horseradish tree). The government of the Philippines introduced a bill in 2010, in the Fifteenth Congress of the Republic of the Philippines, First Regular Session, to encourage planting *Moringa oleifera* due to economic benefits, although it is not native to the Philippines (Senate Bill 1349 2010, pp. 1–7). The Philippine cockatoo has also been observed feeding on the fruits of *Sonneratia*, a mangrove species (Tabaranza 1992; Lambert 1994 in BLI 2001, p. 1683). In the Philippines, the common name for *Sonneratia alba* is Pagatpat (Widmann and Antonio 2011, pp. 20–21).

This species nests in tree cavities, and produces two to three eggs per season; in some exceptional cases, four eggs have been recorded (Widmann pers. comm. 2011, p. 1; Cameron 2007, p. 140). Breeding generally occurs March through June (BLI 2001, p. 1684), and both sexes participate in nest building (Widmann et al. 2001, p. 135). The period between incubation and fledging is generally about 95 days (Cameron 2007, p. 140). The species prefers nests high in the tree canopy, generally around 30 m (98 feet) (BLI 2001, p. 1683), but nest heights between 12 and 35 m (39 to 114 feet) have also been observed (Widmann et al. 2001, p. 135). The diameter of the cavity openings observed has been between 10 and 25 cm (4 and 10 inches) (Widmann et al. 2001, p. 135). Some artificial nest boxes have been installed to increase nesting habitat; the species prefers horizontal rather than vertical nest boxes (Low 2001, p. 3). Some of the tree species they use for roosting include *Dipterocarpus grandiflorus* (common names: Apitong, tempudau, tunden, lagan bras aput) and *Intsia bijuga* (common names: Borneo-teak, Moluccan ironwood, and merbau asam), as well as coconut trees (Lambert 1994 in BLI 2001, p. 1686). They also use *Garuga floribunda* (no common name [ncn]) and *Sonneratia alba* (Cameron 2007, p. 35).

Culasian Managed Resource Protected Area (CMRPA)

The CMRPA is in the south of Palawan Island and is 1,954 hectares (ha) (4,828 acres (ac). The total land area of Palawan is approximately 1.5 million ha (3.7 million ac), including the 1,767 islands and islets surrounding the main island. This species exists both within the actual designated protected area (CMRPA) and in the areas surrounding the protected area on Palawan Island. This species has been known to fly from the mainland to offshore islands as far as 8 km (5 mi) away from the mainland to roost and breed. No roosting sites are known in the CMRPA and surrounding areas (Widmann et al. 2010a, p. 23); however, there have been sightings there: Four birds were observed in September 2009, and three were observed in December 2009 (Widmann et al. 2010a, p. 37). As of 2011, at least two Philippine cockatoos persisted inside the protected area, but they had not bred in the last 4 years.

CMRPA has been described as exhibiting the "empty forest syndrome." Although its forest is largely intact, little wildlife remains due to hunting

pressure and poaching. As of the date of this publication, there are no indications that the species' status is improving. Only one breeding pair exists outside of the reserve. As of 2010, cockatoo poaching had occurred in this area within the past 3 years, and breeding in the 2009–2010 season failed. Because all nests have been systematically poached over many years, extirpation of this population is likely to occur suddenly due to lack of recruitment (Widmann and Widmann 2010, pers. comm.).

Polillo Islands Group

This group of islands is approximately 110 km (68 mi) east of Manila, in Quezon Province in the northern Philippines. Patnanungan Island is part of the Polillo Island Group and is not yet very developed. Polillo Island itself is 1,000 km² (386 mi²). As of 2009, within the Polillo group of islands, Patnanungan Island was known to contain a population of the Philippine cockatoo (Widmann et al. 2010, p. 15). However, no roosting sites have been identified on this island (Widmann et al. 2010, p. 23). Patnanungan Island is mainly covered with secondary vegetation and coconut plantations (Widmann et al. 2010, p. 22). Seven nest trees are being monitored in this area (Widmann et al. 2009b, p. 7). To the best of our knowledge, there is not a viable population on Polillo Island, although the species has been observed there. In 2009, in Burdeos, six Philippine cockatoos were spotted in Duyan-Duyan Forest in the Anibawan Barangay, where it is regularly heard (Widmann et al. 2010, p. 38; Widmann et al. 2009a, p. 41). In part, because there were fewer than 20 birds prior to their protection, recovery in this area is slow (Widmann and Widmann 2010, pers. comm.).

Province of Palawan

The distribution of the Philippine cockatoo within the Palawan region includes the Calamian group of islands, Malampaya, San Vicente, Dumaran, Sabang and Babuyan River, Iwahig, Rasa, Rizal (CMRPA), Pandanan, Bugsuk, and Balabac. Key Philippine cockatoo habitat locations within these islands are discussed below.

Dumaran Island

On Dumaran Island, which is off the northeastern coast of Palawan, three areas are managed by the Katala Foundation's Philippine Cockatoo Conservation Programme (PCCP). Two of those are protected areas: The Omoi Cockatoo Reserve and the Manambaling Cockatoo Reserve (Widmann et al. 2009b, p. 7). The third area is Lagan, which is also monitored and managed by the Katala Foundation (KFI). On Dumaran Island, the protected suitable forest patches are each very small: 1.5 and 0.6 km² (0.6 and 0.2 mi²), respectively (Widmann and Widmann 2008, p. 24). On this island in 2008, although 10 eggs were counted, only two birds fledged (Widmann et al. 2009b, p. 6). Recovery is slow; they started with fewer than 20 birds before protection started (Widmann and Widmann 2010, pers. comm.). Currently, there are an estimated 30 individuals on Dumaran Island (Widmann and Widmann 2011, pers. comm.).

Pandanan and Bugsok Islands

Pandanan and Bugsok (119 km²) (46 mi²) are small islands south of Palawan, within the Balabac Island Region. It is likely that Pandanan holds possibly the second-most important population of Philippine cockatoos, containing at least 80 individuals (Widmann and Widmann 2010, pers. comm.). Approximately 40 birds were observed in a coconut plantation in 2009 on Malinsuno Island, a 10-hectare (24-acre) nearby island that is part of the Pandanan Barangay (equivalent to county or province) (Widmann et al. 2010c, p. 5; Widmann and Widmann 2010, pers. comm.). On Bugsok Island, Balabac, also in the Pandanan Barangay, approximately 40 cockatoos were observed roosting (Widmann et al. 2010c, p. 5). A large part of Pandanan Island itself is not easily accessible; it is privately managed, and is protected for the most part. KFI is working on building a relationship with organizations to monitor and formally protect this island, and wardens were being hired as of 2010 (Widmann et al. 2010, pp. 26, 56).

Rasa Island

Rasa Island is a protected 8 km² (3 mi²) island off the east coast of Narra, Palawan. This island was declared a wildlife sanctuary in 2006 (Widmann et al. 2010, p. 15). As of 2007, 1.75 km² (0.6 mi²) of the island was coastal and mangrove forest. In 2008, 32 nest trees were found to be occupied, 21 pairs had successful fledglings, and the population was estimated to be 205 individuals (Widmann et al. 2009b, pp. 5–6; Widmann et al. 2008, p. 14; Widmann and Widmann 2008, p. 27). Breeding success was 63 percent; 49 fledglings were banded (Widmann and Widmann 2008, p. 24). In years that experienced sufficient precipitation, the increase of Philippine cockatoos on Rasa has been good. As of 2009, Rasa Island had 64 nest trees, and its cockatoo population was approximately 280 individuals, making it the area with the highest natural density of Philippine cockatoos (Widmann 2010b). KFI estimates that Rasa Island contains about 20 percent of the total Philippine cockatoo population (Widmann et al. 2010c, p. 19). The success of cockatoos on this island is likely due to the lack of potable water, which makes it unattractive to human settlement (BLI 2001, p. 1687). The Philippine cockatoo population on this island has grown due to intense management; in 1997, there were only about 25 birds on Rasa Island (Widmann and Widmann 2008, p. 24).

Other Islands

Currently, very little information is available regarding the status of the Philippine cockatoo on other islands, such as Samar and Tawi-Tawi, in part because these areas are extremely remote. The Katala Foundation, Inc. (KFI) surveyed Samar in 2002, at which time only two individual Philippine cockatoos were verified. Sightings have been reported on Coron Island and on Bellatan Island in the Tawi-Tawi region. In 2010, KFI reported that a member of the Wild Bird Club, Philippines, had observed approximately 30 to 40 individuals on Bellatan Island (Widmann and Widmann 2010, pers. comm.). Sightings of this species on Dinagat, Surigao del Norte, and Samal Islands, Davao, have been reported, but they remain unverified (Widmann and Widmann 2010, pers. comm.).

As of 2010, BLI indicated that possibly 100 to 200 Philippine cockatoos existed in the Tawi-Tawi region; however, those data are from over 20 years ago, and, therefore, are no longer likely to be an accurate population estimate (BLI 2010a, p. 1; Dutson 1997, and Allen 1997 in Snyder 2000, p. 84; Lambert 1993). Tawi-Tawi is in the southwestern part of the Philippines in the Sulu Archipelago. Tawi-Tawi consists of 107 islands and islets and is approximately 1,197 km² (462 mi²) in area. The island of Tawi-Tawi itself is 484 km² (187 mi²) (Dutson et al. 1996, p. 32) and is part of the Autonomous Region in Muslim Mindanao (ARMM). This area has experienced problems with logging, military activity, and insurgency but as of 2010 is encouraging ecotourism (Manila Bulletin 2010; IUCN 2010b; Philippines Department of Natural Resources (DENR) 2005), which may have positive effects on the Philippine cockatoo.

Samar is the third largest island in the Philippines archipelago. It experienced threats from logging and mining prior to

1989, but in 1989, an unexpected natural disaster resulted in initiation of conservation actions (Samar Island Natural Park 2010, p. 1). Due to the intense landslides that occurred as a result of logging activities, a logging moratorium was put into place that year. Samar Island Natural Park was subsequently established on the island, which may have positive results for the Philippine cockatoo. Samar Island has been reported to contain one of the Philippine's largest unfragmented tracts of lowland rainforest. While several Philippine cockatoo sightings have been reported on Samar, researchers have no current estimate of how many exist there other than the reported sightings (BLI 2010a; Widmann and Widmann 2010, pers. comm.; Widmann et al. 2006, p. 13).

Conservation Status for the Philippine Cockatoo

Protections exist through various national, local, and international mechanisms for this species. The species is on the Philippines list of protected species under the Philippines Republic Act 9147, otherwise known as the Wildlife Resources Conservation and Protection Act of 2001 or the "Wildlife Act of 2001" (DENR 2010, p. 2). This species is classified as critically endangered by the Government of the Philippines under this Act (DENR 2010, p. 2). The Republic Act No. 9147 provides for the conservation and protection of wildlife resources and their habitats. It prohibits certain activities such as capture and trade of live wildlife, including the Philippine cockatoo. This species has received further protections in the United States under the Wild Bird Conservation Act (WBCA), which is described under Factor B, below.

In 1981, the Philippine cockatoo was listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). At that time, almost all Psittaciformes species (i.e., parrots) were included in Appendix II. CITES is an international treaty among 178 nations where member countries work together to ensure that international trade in CITES-listed animals and plants is not detrimental to the survival of wild populations. This goal is achieved by regulating import, export, and re-export of CITES-listed animal and plant species and their parts and products through a permitting system (*http://www.cites.org*). Appendix II includes species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and other species which must be subject to regulation in order that trade in specimens of certain species threatened with extinction which are or may be affected by trade may be brought under effective control (CITES Article II(2)). International trade in specimens of Appendix II species is authorized when: (1) The CITES Scientific Authority of the country of export has determined that the export will not be detrimental to the survival of the species in the wild; and (2) the CITES Management Authority of the country of export has determined that the specimens to be exported were legally acquired (*http://www.cites.org/eng/disc/how.shtml*, accessed June 24, 2010). In the United States, CITES is implemented through the U.S. Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). This species was transferred from Appendix II to Appendix I of CITES in 1992. Appendix I includes species threatened with extinction which are or may be affected by trade, and international trade is permitted only under exceptional circumstances (CITES Article II(1)). Trade in Appendix I specimens for primarily commercial purposes is generally prohibited.

The Philippine cockatoo is also listed as Critically Endangered in the 2010 IUCN Red List. Critically endangered is IUCN's most severe category of extinction assessment, which equates to an extremely high risk of extinction in the wild. IUCN criteria include rate of decline, population size, area of geographic distribution, and degree of population and distribution fragmentation; however, IUCN rankings do not confer any actual protection or management.

Evaluation of Factors Affecting the Philippine Cockatoo

Factor A. The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range

The loss of dry coastal forest is a significant factor affecting the Philippine cockatoo. Mangroves are not optimal cockatoo habitat; however, they are important for the species presently, since they are the largest lowland forests still present in the Philippines (Widmann and Widmann 2011, pers. comm). Widespread deforestation and destruction of native mangroves have affected the habitat of the Philippine cockatoo. The loss of this species' habitat through deforestation largely occurred prior to the 1980s (Galang 2004, p. 13; Kummer 1991, p. 46). Forest cover decreased in Palawan from 10,703 km^2 (4,132 mi^2) in 1950, to 6,605 km^2 (2,550 mi^2) in 1987 (Kummer 1991, p. 57). In the 1990s, commercial logging on Palawan, the primary location of the Philippine cockatoo, was suspended by presidential decree; however, nearly all of the island's forests were already leased to logging operations (Galang 2004, p. 14; Lambert 1994 in BLI 2001, p. 1686). Many of Palawan's mangroves, which covered 46,000 ha (13,668 ac) in 1988, were also cleared for construction of fish ponds (Quinnell and Balmford 1988 in BLI 2001, p. 1686). As a result of the pressures for resources, much of the forest is either secondary forest or has been converted to plantations or agriculture (Galang 2004, pp. 13–14; Heaney et al. 1998, 88 pp.). In most areas within the range of the Philippine cockatoo, there is a severe shortage of timber and firewood; consequently, illegal logging is widespread. In addition to mangrove logging, slash-and-burn farming (referred to as "kaingin" in the Philippines) is a problem in many areas, particularly in the Polillo Island Group.

Soil erosion is a secondary impact to this species' habitat that occurs as a result of deforestation that further degrades suitable habitat (Kummer 1991, p. 41), as demonstrated on Samar Island. Removal of trees, digging, and mining are causing secondary habitat degradation through severe erosion in addition to habitat degradation and destruction that occurs due to road construction. During the rainy season, water creates deep clefts along the roads that are created for mining operations, causing roads to collapse. Virtually all chainsaw operations in Patnanungan and Burdeos are not registered with the appropriate authority (Widmann et al. 2010). No mitigation measures have been put into place to reduce erosion (IUCNb 2010, pp. 1–2).

Cockatoos are severely impacted by selective logging of primary forests because they require large trees that can accommodate their nests. Selective logging, which targets mature trees, has a negative impact on tree-cavity nesters such as the Philippine cockatoo. Research has found that the abundance of cockatoos is positively related to the density of their favored nest tree (Kinnaird et al. 2003, p. 227). Loggers prefer large trees, so these are the trees that would be impacted by logging, especially since reduced-impact logging techniques are seldom applied. Once the primary forest is logged, the secondary forest is generally converted to other uses, or logged again rather than being allowed to return to forested habitat. Therefore, although cockatoos may continue to inhabit secondary

forests, the population is usually at a substantially lower number due to a decrease in suitable nesting sites.

Habitat loss is well documented as one of the most significant effects humans have on wild species (Coverdale et al. 2013, p. 69; Swift and Hannon 2010, p. 50; Fahrig 1997, p. 603; Vitousek et al. 1997). In some cases, corridors are established to promote connectivity between populations of species to reduce the effects of habitat fragmentation, and this approach has been shown to be effective (Cameron 2007, pp. 110–112; Haddad et al. 2003, pp. 609–615). In the case of the Philippine cockatoo, a virtual corridor is being created by artificially transplanting captive-reared cockatoos into suitable, relatively protected habitat. It is unclear how much this species naturally moves from one island habitat to another; however, this species has been known to fly from the mainland to nearby islands at distances of 8 km (5 mi). Researchers point out that at the metapopulation scale (spatially separated populations of the same species that interact at some level), habitat fragmentation causes habitat patches to be reduced in size and to be isolated from one another, and as a result, gene flow between patches is decreased (Blanchet et al. 2010, p. 291). Because this species' population has decreased in size so rapidly and fragmentation of its habitat has occurred so recently and rapidly, it is unlikely that significant genetic differences occur between the existing populations. However, habitat loss and fragmentation are affecting this species.

The Palawan Islands Region is essentially the last area where Philippine cockatoos have a viable population. Although Palawan has been seen as a center for environmental preservation (McNally 2002, p. 9), it still faces many threats, in part due to a burgeoning human population (IUCN 2010b, p. 1; Laurance et al. 2010, p. 377). In 2009, the human population of the Philippines was estimated at 91,983,000 (United Nations (UN) 2009, p. 41), and the human population in the country is increasing at a rate of 1.7 percent annually (UN 2009, p. 51). Palawan, in particular, has experienced rapid human population growth (McNally 2002, pp. 8–9). As of 2002, "Palawan remains a highly attractive place of destination for migrants from other areas within the Philippines" (McNally 2002, p. 11). While the burgeoning human population on Palawan may not directly affect the Philippine cockatoo, it does indirectly affect the species by contributing to the habitat loss and other factors described within this rule.

Despite the protection measures that are in place to restrict mining and other activities that degrade habitat, mining operations and oil palm plantations are being developed on Palawan Island (Novellino 2010, pp. 2–48). The Philippine cockatoo has not been recorded in areas in southern Palawan where mining and oil palm plantations exist (Widmann and Widmann 2010, in litt.). Although mining does not occur directly within Philippine cockatoo habitat, it does indirectly affect the species by contributing to the habitat losses and pressures described within this section (Novellino et al. 2010, pp. 1–48). These factors are negatively impacting the ecosystem despite legislative protections (refer to Factor D) in Palawan.

Rasa Island has been formally designated as a wildlife reserve and contains a large percentage of the Philippine cockatoo population, although small in actual numbers. In addition to the formal protection measures in place on Rasa Island, this population is actively monitored and protected by KFI staff, which is reported to be very effective. As of 2011, no individuals had been poached from this island since 1999 (Widmann 2011, pers. comm; Widmann et al. 2010a, b, c). In addition to this formal and active protection, the island's lack of potable water has discouraged subsequent deforestation and habitat loss in this location. However, because much of the species' habitat in other locations remains fragmented and this species is thought to migrate between Rasa Island and Palawan Island, other pressures such as poaching continue to remain a potential threat to the species.

On Dumaran Island, the conversion of habitat to a Jatropha plantation is occurring in the few remaining suitable forest patches left (Widmann et al. 2010a, pp. 6, 32, 46). *Jatropha curcas* trees produce a fruit with oil that, although inedible, contains high energy content and is being explored as an alternative source of energy (Mendoza et al. 2007, p. 1). A hectare of Jatropha has been claimed to produce 1,892 liters (500 gallons) of fuel. Many industries such as the air transportation industry are considering this as a biofuel source, and it is also being described as a mechanism for carbon credits. This cockatoo species occurs in areas that are managed and protected such as the KFI's Omoi Cockatoo Reserve and the Manambaling Cockatoo Reserve (Widmann et al. 2009b, p. 7). However, cockatoos use other areas that are not protected, and information as of 2011 suggests that the implementation of a Jatropha plantation would likely negatively affect this species on Dumaran Island (Widmann, personal communication).

KFI currently manages three areas on Dumaran Island, including a newly acquired buffer area in Omoi (Widmann et al. 2010, p. 32). Dumaran Island also experiences widespread slash-and-burn agriculture, which has begun to affect more forested areas on steeper slopes here (Widmann 2008a, p. 19). Larger forested parts of the island have been replaced with grass, shrub-land, and dense stands of bamboo as a consequence of this practice. Due to factors such as the lack of water or level areas, and the development of subsequent irrigation systems, lowland rice cultivation is very restricted. However, permanent forms of cultivation include coconut and cashew plantations. Human-caused forest and grass fires are common, particularly during the dry season. Fire is used not only to clear areas for cultivation, but also to promote growth of fresh grass for pastures.

In the other areas where this cockatoo species exists, the current extent of the present and future destruction, modification, or curtailment of the species' habitat is unclear; however, it is likely that the pressures on the species are similar, if not worse, to those documented in this section (BLI 2010a; Widmann et al. 2010, p. 15). Human encroachment and concomitant increasing human population pressures exacerbate the destructive effects of ongoing human activities throughout the Philippine cockatoo's habitat. Increased urbanization and mining has led to increased infrastructure development. Road building and mining projects further facilitate human access to remaining forest fragments throughout the species' range, including protected areas. Mining projects, such as those proposed or occurring on Palawan, open new areas to exploitation and attract people seeking employment; these pressures from human development will likely spill over into nearby Philippine cockatoo habitat.

Summary of Factor A

We have identified a number of threats to the habitat of the Philippine cockatoo that have occurred in the past, are impacting the species now, and will continue to impact the species. Habitat loss and degradation from past events, such as selective and commercial logging, conversion to plantations or agriculture, and mining, have decreased this species' suitable habitat; and these activities are still occurring. Illegal

logging (discussed under Factor D) is widespread in the Philippines (Laurence 2007, p. 1544; Galang 2004, pp. 12, 17, 22; Kummer 1991, pp. 70–75), which adds to any pressures of legal deforestation. Based on the best available scientific and commercial data available, we find that the present and threatened destruction, modification, or curtailment of the species' habitats, particularly in the Palawan area, is a threat to the Philippine cockatoo throughout all of its range.

Factor B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Illegal Pet Trade

The Philippine cockatoo, like all cockatoos, is a desirable pet (Cameron 2007, p. vii). In the Philippines, cockatoos are reported to be popular pets due to their ability to mimic human voices (Catigob-Sinha 1993 in Boussekey 2000, p. 138). On Palawan, Pandanan, and Samar Islands, trapping these cockatoos for pets is a particularly serious threat (Widmann et al. 2010a, pp. 21–22; Widmann et al. 2010c, p. 16) and is still considered to be one of the most significant threats to the species. Awareness campaigns have been implemented since the late 1990s to increase understanding of why these birds should not be removed from the wild for pets, and these campaigns are thought to be somewhat effective (Widmann et al. 2010). Due to the high value of these birds (valued at $160 U.S. dollars (USD) in Manila in 1997, and $300 USD in 2006 (BLI 2010a, p. 1), chicks are taken from virtually every accessible nest on these islands (Widmann et al. 2010a, pp. 21–22). A researcher observed that, in the 1980s, up to 10 Philippine cockatoos were trapped per day (Tabaranza 1992 in BLI 2001, p. 1685).

Several programs to combat the poaching problem, such as public awareness programs and the rehabilitation and release of confiscated parrots were established by the KFI to support the conservation of the Philippine cockatoo. KFI started these awareness programs to educate adults and children in villages near areas where the birds are concentrated. The programs use the Philippine cockatoo as a flagship species for conservation of native wildlife, especially with children, because the image of the endemic Philippine cockatoo is unique (Widmann et al. 2010, pp. 21–22). KFI focuses in areas where this species is found in the wild, such as the CMRPA, to educate the local communities in an attempt to reduce poaching. In 2005, on Palawan Island, KFI began an initiative specifically targeted toward anti-poaching in the CMRPA. Former poachers were identified and converted into wildlife wardens. This "conversion" practice is common in developing countries where human populations rely heavily on forests and wildlife for their survival (Cribb 2006, p. 3). These converted poachers-now-wardens safeguard the Philippine cockatoo nesting trees, and patrol and monitor inside CMRPA in the southwest region of Palawan (Widmann et al. 2010).

Because illegal trade is difficult to monitor and quantify, it is unclear to what extent poaching for the pet trade is affecting this species. Considering that, in the early 1990s, the population was estimated to be only between 1,000 and 4,000 birds (Tabaranza 1992 and Lambert 1994 in BLI 2001, p. 1681), relatively high numbers were legally traded internationally in the 1980s (e.g., 422 birds were reported to have been exported in 1983; BLI 2010a, p. 1). Additionally, there is evidence that this species is still being poached in the wild (Widmann et al. 2010).

Although we are unsure of the magnitude of the pet trade and its effect on the survival of this species, several reports describe how poaching remains a problem for parrot species, particularly in poorer countries (Dickson 2005, p. 548; *http://www.philippinecockatoo.org*, accessed February 14, 2011 and May 21, 2014). In areas with extreme poverty, poaching can be a lucrative and relatively risk-free source of income (Widmann et al. 2010c, p. 22; Dickson 2005, p. 548). In many cases, poachers have limited income prospects (Widmann et al. 2010a, p. 37). A common practice in conservation is to reform poachers with alternative sources of income so that they do not remove birds from the wild. After the benefits of species and habitat conservation are explained to them, they are generally receptive to resource conservation and ultimately gain a sense of stewardship of the resources. This technique has been effective in the past, but it is resource-intensive and has only a localized effect.

KFI also broadcasts local radio programs to increase awareness of the issues affecting this species. For example, in August 2010, KFI broadcast an interview regarding wildlife trade and a confiscation that had recently occurred in Palawan (Widmann et al. 2010c, p. 73). Conservation-focused radio programs have occurred here since 1996 (Boussekey 2000, p. 140). However, even with these education programs and conservation measures in place, poaching still occurs in the Philippines (Widmann et al. 2010c). Based on the available information and the relatively small number of Philippine cockatoos remaining in the wild, we find that poaching for the pet trade in the Philippines negatively affects the Philippine cockatoo throughout all of its range.

International Trade and CITES

In 1981, almost all Psittaciformes species (i.e., parrots) were included in Appendix II of CITES. As described under the Conservation Status for the Philippine Cockatoo section above, regulating import, export, and re-export of CITES-listed animal and plant species and their parts and products is done through the use of a permitting system *(http://www.cites.org)*. In the United States, CITES is implemented through the U.S. Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*).

The Philippine cockatoo was transferred to CITES Appendix I in June 1992 because populations were declining rapidly due to uncontrolled trapping for the pet bird trade. An Appendix-I listing includes species threatened with extinction whose trade is permitted only under exceptional circumstances, which generally precludes commercial trade. The import of an Appendix-I species requires the issuance of both an import and export permit. Import permits are issued only if findings are made that the import would be for purposes that are not detrimental to the survival of the species in the wild and that the specimen will not be used for primarily commercial purposes (CITES Article III(3)). Export permits are issued only if findings are made that the specimen was legally acquired and trade is not detrimental to the survival of the species (CITES Appendix III(2)). These two findings are made prior to issuance of a CITES permit and are designed to ensure that international trade in a CITES-listed species is not detrimental to that species.

An exception to permitting requirements for international trade of Appendix I species exists for specimens originating from a CITES-registered captive-breeding operation. Under the exception in the CITES Treaty and Resolution Conf. 12.10 (Rev. CoP15), specimens of Appendix-I species originating from CITES-registered captive-breeding operations can be traded for commercial purposes, and shipments need to be accompanied only by an export permit issued by the exporting country. An import permit is not required because these specimens

are treated as CITES Appendix-II species. One CITES-registered captive-breeding operation in the Philippines is authorized to export captive-bred specimens of this species (*http://www.cites.org/common/reg/e_cb.html*, accessed May 19, 2014). Countries operating CITES-registered operations must ensure that the operation "will make a continuing meaningful contribution according to the conservation needs of the species" (CITES 2007b, pp. 1–2). Countries that are parties to CITES are advised to restrict their imports of Appendix-I captive-bred specimens to those coming only from CITES-registered operations. Additional information on CITES-registered operations can be found on the CITES Web site at *http://www.cites.org/eng/resources/registers.html*.

We queried the United Nations Environment Programme World Conservation Monitoring Centre (UNEP–WCMC) CITES Trade Database for data on exports and imports of this species from 2000 to 2009, and again between 2009 and 2013, and very few exports from the Philippines were reported as "wild" origin. Little to no trade data was available for 2013. Between 2000 and 2009, CITES Party countries reported to UNEP–WCMC that a total of 91 live Philippine cockatoos was imported (*http://trade.cites.org*) into their countries, for an average of 9 birds per year. The majority of these (78) originated from the Philippines; 77 of these 78 live birds were reported to be of captive origin, and only one was indicated to be of wild origin. Additionally, in 2009, the UNEP–WCMC CITES Trade Database indicated that only two live birds were exported from the Philippines. Because the Philippine cockatoo is listed as an Appendix-I species under CITES, legal commercial international trade is very limited. The trade report we ran in 2014 (which only has trade data up to 2013), indicated that there were captive-origin exports of the Philippine cockatoo, but no exports of wild-origin Philippine cockatoos. In summary, 233 total specimens were traded 2000–2012. Of the 244 traded over this period, only 4 were from the wild and from the Philippines. Based on the low numbers of live, wild Philippine cockatoos in international trade since 2000, and because international trade is controlled via valid CITES permits, we believe that trade is not a threat to the species.

Wild Bird Conservation Act

The import into the United States of all three of these species is regulated by the Wild Bird Conservation Act (WBCA) (16 U.S.C. 4901 *et seq.*), which was enacted on October 23, 1992. The WBCA is implemented under 50 CFR part 15 and has limited or prohibited imports of exotic bird species into the United States since 1992. The purpose of the WBCA is to promote the conservation of exotic birds by ensuring that importation of species covered under the Act (i.e., CITES-listed species, with several exceptions) into the United States is sustainable and is not detrimental to the species.

WBCA permits may be issued to allow import of listed birds for various purposes, such as scientific research, zoological breeding or display, or personal pets, when certain criteria are met. The Service may approve cooperative breeding programs and subsequently issue import permits under such programs. Under the cooperative breeding program, wild-caught birds may be imported into the United States if they are a part of Service-approved management plans for sustainable use. At this time, none of the three parrot species discussed in this document is part of a Service-approved cooperative breeding program, and there are no approved management plans for wild-caught birds of these species.

A report published in 2006 showed that imports of parrot species to the United States declined from the mid-1980s to 1991 (Pain et al. 2006, pp. 322–324). Parrot imports to the United States were already declining before the enactment of the WBCA, but because the WBCA largely curtailed the import of wild parrots, we find it is an adequate regulatory mechanism for all three of these parrot species.

Summary of Factor B

In summary, cockatoos are popular pets, and poaching for the pet trade still occurs, particularly on Pandanan Island (Widmann et al. 2010c, p. 13). Although we do not find that legal international trade negatively impacts this species, we do find that poaching for the pet trade in the Philippines continues to negatively impact the Philippine cockatoo.

Factor C. Disease or Predation

In the information provided and the literature reviewed, we found suggestions that diseases, particularly a fungal disease, in the wild may be a threat to this species. Velogenic viscerotropic newcastle disease, psittacine beak and feather disease (PBFD), or the psittacid herpes virus (PsHV–1 or PsHV–2) were indicated to be possible threats and may have been introduced into the wild population, possibly by the release of captive birds (BLI 2010a, p. 1; Lambert 1994 in BLI 2001, p. 1686). Cockatoo species are widely distributed throughout Australasia, and some avian species have developed resistance to some diseases (Commonwealth of Australia 2006, p. 1). These diseases affect each cockatoo species differently.

Psittacine Beak and Feather Disease

PBFD is a viral disease that originated in Australia and affects both wild and captive birds, causing chronic infections resulting in either feather loss or deformities of beak and feathers (Cameron 2007, p. 82). PBFD causes immunodeficiency and affects body parts such as the feathers, liver, and brain. Suppression of the immune system can result in secondary infections due to other viruses, bacteria, or fungi. The disease can occur without obvious signs (de Kloet and de Kloet 2004, p. 2394). Birds usually become infected in the nest by ingesting or inhaling viral particles. Infected birds develop immunity, die within a couple of weeks, or become chronically infected. No vaccine exists to immunize populations (Cameron 2007, p. 82). While some cockatoo species are susceptible to this virus, we found no indication that PBFD adversely affects the Philippine cockatoo at the population level in the wild.

Proventricular Dilatation Disease

Another serious disease that has been reported to affect cockatoos is proventricular dilatation disease (PDD). PDD is a fatal disease that may pose a serious threat to domesticated and wild parrots worldwide, particularly those with very small populations (Kistler et al. 2008, p. 1; Waugh 1996, p. 112). This contagious disease causes damage to the nerves of the upper digestive tract, so that food digestion and absorption are negatively affected. The disease has a 100 percent mortality rate in affected birds, although the exact manner of transmission between birds is unclear. Although this is a particularly virulent virus that affects cockatoos in general, we are unaware of any reports that this disease occurs in Philippine cockatoos in the wild, possibly due to its remote location.

Avian Influenza

Wild birds, especially waterfowl and shorebirds, are natural reservoirs of avian influenza (also known as "bird flu"). Most strains of the avian influenza virus have low pathogenicity and cause few clinical signs in infected birds. Pathogenicity is the ability of a pathogen to produce an infectious

disease in an organism. However, strains can mutate into highly pathogenic forms, which is what happened in 1997, when the highly pathogenic avian influenza virus (called H5N1) first appeared in Hong Kong (USDA et al. 2006, pp. 1–2). H5N1 is mainly propagated by commercial poultry living in close quarters with humans. The effect on migratory birds is less clear (Metz 2006a, p. 24).

Scientists increasingly believe that at least some migratory waterfowl carry H5N1, sometimes over long distances, and introduce the virus to poultry flocks (World Health Organization 2006, p. 2). H5N1 has infected and caused death in domestic poultry, people, and some wild birds in Asia, Europe, and Africa. About half of humans infected die from the disease (Service 2006, p. 1). A parrot held in quarantine in the United Kingdom was incorrectly diagnosed with H5N1 in 2005. The original identification of H5N1 was made from a pool of tissues derived from a *Pionus* parrot (from Surinam) and another avian species commonly known as a mesia (*Leiothrix* spp.) from Taiwan. The Department for Environment, Food and Rural Affairs, United Kingdom (DEFRA) stated that it was unclear whether the virus isolated came from the parrot tissue, the mesia tissue, or both (DEFRA 2005, p. 34). However, they concluded that the source was more likely the sample from the mesia (DEFRA 2005, p. 34). Later, it was determined that the samples had been mixed, and the parrot did not have the disease (Gauthier-Clerc et al. 2007, p. 208). In the Philippines, 339 smuggled parrots were euthanized following confiscation to determine if these parrots had the virus; however, none were confirmed to have the virus (Metz 2006a, pp. 24–25), we are unaware of any reports that this disease occurs in Philippine cockatoos in the wild.

Aspergillosis

Aspergillosis is an infection or allergic response to the *Aspergillus* fungus. A literature review found that cases of Aspergillosis were being reported in captive-held, wild-origin Philippine cockatoos in the Philippines at the U.S. Air Force Base, Clark Field, Angeles City (Burr 1981, p. 21). In all known cases according to the report, stress, such as enclosure in a small bird cage, was indicated to be a factor prior to death. Observations indicated that free-flying birds in aviaries showed no signs of stress, and there were no deaths recorded in these birds. Natural incidence of Aspergillosis in the wild occurs in the Philippine cockatoo; however, it appears to be more prevalent in captive birds. During one survey, *Aspergillus* spores were found below nest holes in Palawan (Lambert 1994 in BLI 2001, p. 1686; Tabaranza 1992). The Philippine cockatoo is likely a latent carrier of *Aspergillus* (Burr 1981, p. 23); however, from our review of the best available information, we found no information indicating that this disease negatively affects this species at the population level in the wild (Widmann et al. 2010c, p. 45).

Lice and Mites

Ectoparasitism by lice and mites was documented as the possible cause of death in some chick mortalities on Rasa Island (Widmann et al. 2010a, pp. 6, 38; Widmann et al. 2001, p. 146). Mites (arachnids) were found in some monitored nests where chicks had died. Although nests are being routinely monitored on Rasa Island, mites are not commonly found in these nests. Mites have evolved in a symbiotic relationship with avian species. Not all bird-mite relationships are parasitic; some might be benign or even beneficial (Proctor and Owens 2000, pp. 358, 362). Many mites are nonparasitic scavengers and use the nest or bird feathers as habitat. Despite the presence of mites found in nests where chick mortalities were observed, we conducted a search of available information and found no information indicating that lice and mites significantly affect these species, although mites may occur more frequently during dryer seasons (Widmann et al. 2010a, p. 38; Widmann et al. 2010c, pp. 39, 45). Some research suggested that unusually high temperature, rather than mites, may have contributed to the lack of nest success in 2001 (Widmann et al. 2010c, p. 45); however, the actual reasons for nest failures (mortalities) are unclear.

Summary of Factor C

When conducting a status review, we evaluate the magnitude of each factor that may be affecting a species. In this case, we did not find evidence that any disease or predation rises to the level of a threat that is affecting this species in the wild. Although individual Philippine cockatoos may be subject to occasional infections or predation, there is no evidence that either of these is occurring at a level that may affect the status of the species as a whole to the extent that it is considered a threat to the species. After conducting a literature search (Tomaszewski et al. 2006, pp. 536–544; de Kloet 2004, pp. 2393–2412; Latimer et al. 1992, pp. 165–168; Johnson et al. 1986, pp. 813–815), we found no indication that disease or predation is a threat to the Philippine cockatoo in the wild. Therefore, we find that the Philippine cockatoo is not negatively impacted due to disease or predation.

Factor D. The Inadequacy of Existing Regulatory Mechanisms

Several regulatory mechanisms are in place at the national and local levels that serve to conserve this species and the habitat on which it depends; however, the mechanisms are ineffective at adequately protecting the Philippine cockatoo. We find that CITES effectively protects the species through legal international trade. Factors hampering the regulatory mechanisms in place include remoteness of protected areas, poverty that causes locals to unsustainably use this species' habitat or to poach, and the lack of resources to adequately enforce laws and regulations (Laurance 2007, p. 1544; Palawan Council for Sustainable Development (PCSD) 2007, pp. 1–3; Galang 2004, p. 17). These are discussed below.

Domestic Regulatory Mechanisms

In the late 1980s and early 1990s, efforts were already under way to protect the Philippine cockatoo (Galang 2004, p. 17; Boussekey 2000, p. 140). In 1987, the Government of the Philippines established the Protected Areas and Wildlife Bureau (PAWB) through the DENR, under Executive Order 192. Its responsibilities are in part to manage and protect the country's protected areas. In 1992, the Philippines adopted the National Integrated Protected Areas System Act (NIPAS Act of 1992) to protect and maintain the country's biological diversity. In 1994, the PAWB signed a memorandum of agreement (MOA) regarding the conservation of this species (Philippines DENR 2009, pp. 1–2; Boussekey 2000, p. 138). This MOA has been implemented by a nongovernmental organization, the Katala Foundation, since 2006 through the PCCP. Under this MOA, an intensive species conservation program has been under way to conserve this species and its habitat. The PCCP accomplishes its mission through intense local management of the species. Some aspects of the conservation program are to educate local communities about the benefits of conserving endemic wildlife, protect and restore nesting sites and habitat, conduct research, and reintroduce the species into the wild (Widmann et al. 2010, p. 22).

As a protected species (DENR 2010b, p. 2), under the Republic Act No. 9147, certain activities such as capture and trade of live wildlife are prohibited. Republic Act No. 9147 provides for fines and penalties for prohibited acts.

However, within the Philippines, the laws are generally ignored and only poorly enforced (Rose 2008, p. 232; Laurance 2007, p. 1544; Galang 2004, pp. 12–17).

Additional protections exist under the Philippines' Executive Order No. 247, which protects the rights of local people with respect to the use of natural resources (*http://www.elaw.gov*, accessed January 4, 2011). This Executive Order mandates that prospecting of biological and genetic resources shall be allowed within the ancestral lands and domains of indigenous cultural communities only with the prior informed consent of such communities. Involving local tribal communities adds an additional conservation measure. For example, the Batak tribe (Boussekey 2000, p. 144) in northern Palawan has shown interest in participating in wildlife conservation. The protection of endemic natural resources has been demonstrated to benefit native tribes and local communities near sites that have unique features (Widmann et al. 2010b, p. 36). Locals may be recruited as wardens, or these areas can be developed for ecotourism. However, in this case, it is likely that only around 300 to 400 members of the Batak tribe survive today, so the effectiveness in the long term is unclear (*http://www.culturalsurvival.org/search/site/batak*, accessed November 18, 2010 and May 22, 2014). These regulatory mechanisms could have a positive effect on the species, but currently it is unclear whether Executive Order No. 247 is benign or actually constructive.

As discussed under Factor B, the Philippine cockatoo is monitored and managed in some, but not all, areas where it exists. Some areas are designated as protected specifically for the Philippine cockatoo, and wardens are employed for their protection (Widmann et al. 2010a, pp. 18–22; and refer to Conservation Status for the Philippine Cockatoo section above). An increase in the population is occurring in some areas where this species is protected, such as on Rasa Island, but in other areas where protections are not robust, the population is declining (Widmann et al. 2010a, p. 32). Although five areas are designated as being "protected" under Philippine law, the levels of protection in each area vary. In 2006, Rasa Island, the area containing the densest population of the Philippine cockatoo, was declared a wildlife sanctuary by President Arroyo (Widmann 2006, p. 1). The protected area consists of 1,983 ha (4,900 ac). While this area is fairly well protected and monitored, effective reserve management here is hindered by a shortage of staff, technical expertise, and financial support (Widmann 2010, pers. comm.). In addition, the remoteness of protected areas makes enforcement of activities such as poaching and illegal logging difficult. Overall, the management of protected areas is insufficient. For example, in 2010, despite management of the species, 15 hatchlings died and 17 eggs did not hatch on Rasa Island during an extreme weather event (refer to Factor E discussion) (Widmann et al. 2010a, p. 38). Even in areas, such as Narra, that are monitored by wardens, poaching occurs (Widmann et al. 2010a, p. 6). The protections in place for this species are ultimately ineffective at reducing the factors that negatively impact this species. This species resides in other areas that are not protected and habitat destruction (see Factor A discussion above) and poaching for the pet trade (see Factor B discussion above) still occur even in protected zones.

The Philippine cockatoo is carefully monitored and managed in some, but not all, areas where it exists. The species exists in five protected areas: (1) Rasa Island Wildlife Sanctuary (Narra, Palawan), (2) Puerto Princesa Subterranean River National Park (Palawan), (3) Omoi and Manambaling Cockatoo Reserves in Dumaran (Dumaran, Palawan), (4) Mt. Mantalingahan Protected Landscape (CMRPA) in Rizal, Palawan, and (5) Samar Island Natural Park. Each protected area in Palawan has its own unique protections in place and legislation to protect the species and its habitat (Widmann and Widmann 2010, pers. comm.).

Although five areas are designated as being "protected," the levels of protection vary. An increase in the population is occurring in some areas, but in other areas where protections are not as robust; the population is declining, in part due to poaching. The KFI, the Philippine Government, and individuals concerned with the conservation of this species have actively worked to protect the Philippine cockatoo since 1998. The KFI is a nonprofit organization dedicated to the conservation of wild Philippine cockatoos. Its goals are to teach the principles and value of conservation, work to rehabilitate Philippine cockatoos back into the wild, and conduct scientific research. As of 2000, the local communities that live within the range of this species have been aware that it is illegal to capture or trade this species (Boussekey 2000, p. 143).

At most sites where a viable population appears to exist, KFI is actively managing this species to try to increase the populations. For example, artificial nest boxes for the Philippine cockatoo were installed on Rasa Island and the mainland (Palawan) (Widmann and Widmann 2008, p. 27). Recovery of the Philippine cockatoo on Rasa Island has been fairly effective, where nest-guarding by local people has virtually stopped poaching (Boussekey, pers. comm. in Cahill et al. 2006, p. 166). Breeding success on Rasa Island has been high (averaging 2.6 hatchlings per nest in 2002, for example). On this island, a population of approximately 20 birds increased four-fold between 1998 and 2003 (Widmann et al. 2010; Boussekey, pers. comm. in Cahill et al. 2006, p. 166). In Patnanungan, Polillo Islands, the first artificial nest box for the Philippine cockatoo was installed in November 2009 (Widmann et al. 2010, p. 13), and reforestation efforts are occurring. These activities are somewhat effective but slow because the protection efforts are not able to completely combat the negative factors such as poaching and selective logging that affect this species in many cases.

Efforts are being focused on Pandanan Island (south of Palawan Island), which has excellent habitat for this species, and is a focus area of KFI for protection of the Philippine cockatoo. A grant under the U.S. Fish and Wildlife Service's Wildlife Without Borders, Critically Endangered Species Conservation Fund, for the Pandanan project was approved in September 2009 (Widmann et al. 2010, p. 5). This island has the potential for the species to recover well because there is excellent forest cover due in part to the protections provided by the Jewelmer Corporation. This company holds an aquaculture concession in the area of Pandanan. Due to this concession, human inhabitants are allowed on Pandanan Island but activities are carefully and closely monitored and regulated. In January 2010, KFI obtained formal permission from the Palawan Council for Sustainable Development (PCSD) to conduct conservation efforts on the island (Widmann et al. 2010b, p. 5). Poaching still needs to be abated, but KFI has been working to establish a local warden program (Widmann et al. 2010a, p. 50) on the island to address this issue. As of 2010, security had improved in the area where a viable cockatoo population has been confirmed, but the species was still threatened by poaching (Widmann et al. 2010a, p. 15). The KFI indicates that it is likely that, with the warden program in place, they can eliminate or reduce poaching.

As resources allow, other protections and conservation actions are in place for this species. On Dumaran, Rizal, and Patnanungan Islands, wardens monitor Philippine cockatoo activity, and patrolling is done at protected areas and roost sites. Monitoring of the population trend on Rasa and Dumaran Islands is done through counting individuals at traditional roost sites. Due to both a lack of funding and logistics, not all Philippine cockatoo sites are actively monitored and managed. This is primarily because it is more efficient to focus resources in the Palawan Islands Region where the Philippine cockatoo is known to have a viable population.

In summary, while laws to protect this species are in place, enforcement often is difficult, given the many islands that make up the Philippines and considering that illegal activities in many cases remain socially acceptable at the local level. Illegal logging is considered to be a leading cause of forest degradation in the Philippines (Rose 2008, p. 232; Laurance 2007, p. 1544; Galang 2004, pp. 12–17). Laws are frequently ignored, which further reduces the effectiveness of regulatory mechanisms (Galang 2004, pp. 12–17), and contributes to this species' continued decline in population numbers. Therefore, we find that, although the Philippines has a good legal framework to manage wildlife and their habitats, actual implementation of its laws and regulatory mechanisms is inadequate to reduce the threats to the Philippine cockatoo.

CITES

The evaluation of the effectiveness of CITES as a regulatory mechanism is cross-referenced under Factor B.

With respect to international trade, we find CITES to be an adequate existing regulatory mechanism for this species (see our analysis under Factor B for legal trade). As discussed under Factor B, very few Philippine cockatoos have been legally exported from the Philippines since 2000. One operation in the Philippines is registered to export captive-bred specimens of this species for commercial purposes and appears to be adequately monitored and regulated. Based on the information available, CITES and the Government of the Philippines have effectively controlled legal international trade of this species.

Summary of Factor D

In summary, we find that the Government of the Philippines appears to have controlled legal international trade through CITES (see discussion under Factor B above). However, the existing domestic regulatory mechanisms within the Philippines, as implemented, are inadequate to reduce or remove the current threats to the Philippine cockatoo in the wild based on reports of poaching. As discussed under Factor B above, uncontrolled illegal domestic trade continues to adversely impact the Philippine cockatoo. Measures in place via the MOA and the KFI provide some protection to the Philippine cockatoo. Through the MOA, this species is carefully monitored and managed in key areas where the species has a good chance of recovery, particularly in the Rasa Island Wildlife Sanctuary (Narra, Palawan). Despite efforts, management of protected areas encompassing this species' habitat is hindered due to the remoteness of protected areas, staff shortages, lack of technical expertise, and lack of funding; this is acknowledged by the local NGO (Widmann et al. 2010a).

Even with government controls, poaching of cockatoos is reported to be relatively common in areas that are not protected. In addition, laws are frequently ignored, in part due to the difficulty in monitoring and enforcement throughout the multitude of islands in the Philippines. As discussed under Factors A and B above, we found that poaching, logging, and conversion of forests to agriculture and plantations are threats to the Philippine cockatoo. Despite regulatory mechanisms in place, illegal logging continues to be a leading cause of forest degradation in the Philippines (Rose 2008, p. 231; Laurance 2007, pp. 1544–1555). There is no information available to suggest these threats will change in the foreseeable future; therefore, we find that the existing regulatory mechanisms, as implemented, are inadequate to reduce or remove the current threats to the Philippine cockatoo.

Factor E. Other Natural or Manmade Factors Affecting the Continued Existence of the Species

Various other factors have been cited as being potential threats to this species. In addition to poaching, trapping, and deforestation (Boussekey 2000, p. 138) (refer to the discussions under Factors A and B, above), hunting (to protect crops), harassment by bees, and nest flooding have been observed to affect this species (Widmann et al. 2007a, pp. 76–77, 79; Widmann et al. 2001, pp. 139–140). Because this species has been viewed as an agricultural pest, it was often killed if it was thought to be consuming crops (Widmann and Widmann 2008, p. 23). However, there is no indication that this practice still occurs. Nest flooding during a thunderstorm was observed to affect clutch survival during the 2000–2001 breeding season on Rasa Island (Widmann et al. 2001, pp. 139–140). Although nest flooding may occur occasionally, the KFI indicates that it is not a common occurrence, and we do not consider this to be a threat to the species.

Bees have been observed to attack cockatoos. In 2005, on Patnanungan Island, bees were documented attacking Philippine cockatoos (Widmann et al. 2007a, pp. 76–77, 79). These cockatoos were unable to nest due to the close proximity of a beehive. The extent of competition with bees for nesting sites is not clear. Philippine cockatoos have been monitored for many years, and this is the only known report of nest site competition with bees. Therefore, competition from bees does not appear to be a significant factor affecting this species.

Other factors affecting the species include food shortages due to drought and the lack of suitable nesting cavities (Widmann and Widmann 2008, p. 25). The lack of suitable nesting sites in general is addressed under Factor A. In 2005, this species suffered from starvation on Rasa Island due to a food shortage during an El Niño drought year. However, several fledglings were rescued. Of these, 10 developed normally and were subsequently released (Widmann and Widmann 2008, p. 25). Additional factors affecting the species include the lack of suitable nesting cavities (in large, decayed trees) and possibly the lack of adequate food sources (Widmann et al. 2010a, p. 6). Because this species has specific nutrition and habitat requirements, it was suggested that Rasa Island may be at carrying capacity due to limited habitat and food availability (Widmann and Widmann 2008, p. 25). Because Rasa Island is very small, with only 1.75 km^2 (0.6 mi^2) of the island being coastal and mangrove forest, its suitable habitat is limited. As of 2009, Rasa Island had 64 nest trees, and as of 2010, there were 280 individual Philippine cockatoos on this island. A second starvation event occurred in 2010 (Widmann et al. 2010a, p. 6). At this time, we are unable to determine if limited food availability on this island and starvation due to drought are threats; however, the Rasa Island population is carefully monitored by the KFI, and they intervene and manage the species if needed. Although in some years limited food availability may be a concern, we do not find that this factor rises to the level of a threat to the species. Further, the lack of suitable nesting cavities is being monitored and addressed by the KFI. At

this time, we have no evidence that bees or nest flooding are threats to the species.

Small and Declining Population

The Philippine cockatoo has a constricted geographic range and a small, rapidly declining population, primarily due to poaching. Researchers estimate between 450 and 1,245 individuals remain in the wild, distributed on 8 islands (BLI 2011, p. 1). In many cases, the Philippine cockatoo is geographically isolated from other populations due to the distance between islands. Additionally, because it is an island species that generally mates for life and is long-lived, it is extremely vulnerable to localized extinctions. Species with small populations are significantly influenced by individual birth and death rates (Holsinger 2000, pp. 64–65; Young and Clarke 2000, pp. 361–366; Gilpin and Soulé 1986, p. 27), immigration and emigration rates, and changes in population sex ratios. Natural variation in survival and reproductive success of individuals and chance disequilibrium of sex ratios may act in concert to negatively affect reproduction (Gilpin and Soulé 1986, p. 27).

Prior to the 1980s, the Philippine cockatoo was common throughout the Philippines (Cameron 2007, p. 34; Boussekey 2000, p. 138). Its existing populations are extremely localized due to habitat loss and its preference for lowland primary and secondary forest, which is also preferred human habitat. KFI suggests that a rapid population reduction may occur in the future based on low recruitment (successful development of chicks into breeding adults), especially for unprotected populations (Widmann 2011a, pers. comm.). In the Rizal (South Palawan) area, there are no indications of recovery of this species. Only one breeding pair exists outside of this cockatoo reserve, and the area had been poached at least once between 2008 and 2011. Breeding here did not occur during the 2009–2010 season. Because all nests have been systematically poached in this area over many years, extinction of this population might occur suddenly due to lack of reproductive success. This is partly a consequence of mating characteristics of this species: It is long-lived and generally mates for life. At least two birds persist inside the protected area, but as of 2011, they had not bred in the past 4 years (Widmann 2011a, pers. comm.).

Small, isolated populations of wildlife species such as the Philippine cockatoo that have gone through a reduction in population numbers can be susceptible to demographic and genetic problems (Shaffer 1981, pp. 130–134). Factors that could affect their susceptibility include: Natural variation in survival and reproductive success of individuals; changes in gene frequencies due to genetic drift; diminished genetic diversity and associated effects due to inbreeding (i.e., inbreeding depression); dispersal of just a few individuals; a few clutch failures; a skewed sex ratio in recruited offspring over just one or a few years; and chance mortality of just a few reproductive-age individuals. These small, rapidly declining populations are also susceptible to natural levels of environmental variability and related "catastrophic" events (e.g., severe storms, extreme cold spells, wildfire), which we refer to as environmental stochasticity (Dunham et al. 1999, p. 9; Mangel and Tier 1994, p. 612; Young 1994, pp. 410–412).

Threats to species typically operate synergistically. Initial effects of one threat factor can later exacerbate the effects of other threat factors (Gilpin and Soulé 1986, pp. 25–26). Any further fragmentation of populations may likely result in the further removal or dispersal of individuals. The lack of a sufficient number of individuals in a local area or a decline in their individual or collective fitness may also cause a decline in the population size, despite the presence of suitable habitat patches.

The combined effects of habitat loss and fragmentation (Factor A) and threats associated with small, declining, and isolated populations (Factor E) on a species' population are referred to as patch dynamics. Patch dynamics can have profound effects on fragmented populations and can potentially reduce a species' effective population by orders of magnitude (Gilpin and Soulé 1986, p. 31). For example, an increase in habitat fragmentation can separate populations to the point where individuals can no longer disperse and breed among habitat patches, causing a shift in the demographic characteristics of a population and a reduction in genetic fitness (Gilpin and Soulé 1986, p. 31). Furthermore, as a species' population continues to decline, often as a result of deterministic forces such as habitat loss or overutilization, it becomes increasingly vulnerable to a broad array of other forces. Despite the mitigation and conservation measures in place, if this trend continues, its ultimate extinction due to one or more stochastic events becomes more likely. Given the species' dispersed nature, the fact that it is a long-lived species that generally mates for life, and that the largest population is approximately 280 individuals, we find that this factor threatens the continued existence of this species. Based on the best scientific and commercial information available, we conclude that, based on its small, rapidly declining population, the Philippine cockatoo is at risk of extinction, particularly when combined with the other threats.

Summary of Factor E

Several other factors were identified as affecting the success of this species, such as harassment by bees, nest flooding, and starvation. These factors are a normal occurrence in the ecology of this species, and we do not find that these factors significantly affect this species such that they rise to the level of a threat. However, we find that its small, rapidly declining population, when combined with the other threats of habitat loss and poaching, is a threat to the species throughout its range.

Finding for the Philippine Cockatoo

We considered the five factors in assessing whether the Philippine cockatoo is endangered or threatened throughout all of its range. We examined the best scientific and commercial information available regarding the past, present, and future threats faced by the Philippine cockatoo, and we consulted with recognized Philippine cockatoo experts and local and international NGOs.

The primary factors affecting the Philippine cockatoo include habitat loss and habitat degradation (Factor A) and poaching for the pet trade (Factor B). Habitat loss associated with logging, an expanding human population and associated development, and conversion of lowland forests to agriculture are some of the greatest threats to the continued survival of this species (Widmann et al. 2010, p. 14; Posa et al. 2008, pp. 231–236; Widmann and Widmann 2008, p. 23; BLI 2001, p. 1685; Galang 2004, pp. 5–22). Habitat loss due to the above activities continues to occur; this species' population is declining rangewide as a result.

Based on the best available information, poaching is still occurring, despite education and public awareness campaigns and protections in place at the national level (Widmann et al. 2010c., p. 13). Awareness campaigns have been conducted on Mindanao, Palawan, and Polillo Islands (Widmann 2010, pers. comm.). On Dumaran Island, the Katala Pride Campaign has focused on raising awareness among students and farmers. Trilingual conservation posters have been distributed throughout the Philippines, and in

1992, a captive-breeding program was initiated. This species is being intensely managed in some areas, but the management and protection of the species is hindered by the lack of resources, its remote island habitat, and by this species' life-history characteristics (such as the tendency to mate for life and not to reproduce until a late age). Efforts to improve the habitat of this species (e.g., reforestation, building of nest boxes) are continuing and may improve its habitat and population numbers. In Polillo, Dumaran, and Rasa, the species may be slowly increasing in population numbers, but in other areas, the species' population continues to decline. The best population estimates of this species were compiled in the early 1990s, at which time the population was estimated to be between 1,000 and 4,000 individuals (Snyder et al. 2000). Experts believe the population is between 450 and 1,245 individuals, and most populations are fairly well monitored (Widmann et al. 2010); however, poaching for the domestic pet trade continues to be a threat to the species. It is unlikely that this species' rapidly declining and small population can withstand this level of poaching. Therefore, we find overutilization for commercial, recreational, scientific, or educational purposes (Factor B) is a threat to the Philippine cockatoo.

We found no evidence that diseases significantly affect the wild Philippine cockatoo population. Other avian species, particularly cockatoo species, are susceptible to avian diseases, but there was no evidence that disease occurs in the wild to an extent that it is a threat to this species. Predation was not found to affect Philippine cockatoo populations. Based on the best available information, we conclude that disease and predation (Factor C) are not threats to the species.

The Philippine cockatoo is classified as a protected species by the Philippine Government. The current range of the Philippine cockatoo is much smaller than its historical range (BLI 2013a, p. 6). However, as a result of conservation efforts by the various entities working to ensure long-term conservation of the Philippine cockatoo, its range may slowly increase, but current efforts are indicating mixed levels of success. Despite conservation efforts of various entities, we have determined that existing regulatory mechanisms continue to be inadequate because habitat loss and poaching are still occurring (Factor D). In summary, we conclude that inadequate regulatory mechanisms are a threat to the Philippine cockatoo.

This species has a small and rapidly declining population that no longer exists in many of the areas where it occurred historically; it is in competition with humans for habitat as development and related infrastructure take the place of its habitat. Within its current range, where there are few viable populations remaining, the PCCP is managing the species to the best of its ability; however, the PCCP acknowledges that this species still faces a rapid population decline in the future based on low recruitment, especially for unprotected populations. When combined with other threats, and when considering its fragmented population, we conclude that its small, rapidly declining population is a threat to the species (Factor E). Due to this species' extremely small, declining, and fragmented population and due to the existing threats (Factors A, B, D, and E), it is currently in danger of extinction.

Despite the conservation measures in place, this species faces severe threats, and the population trend for this species continues to decline. Based on our review of the best available scientific and commercial information pertaining to the five factors, we find that the Philippine cockatoo is in danger of extinction (endangered) throughout all of its range. We do not find that the effects of current threats acting on the species are likely to be sufficiently ameliorated in the foreseeable future. These threats are consistent throughout its range. Therefore, we find that listing the Philippine cockatoo as endangered is warranted throughout its range, and we are listing the Philippine cockatoo as endangered under the ESA.

Species Information

B. White cockatoo (*Cacatua alba*)

Taxonomy and Species Description

The white cockatoo is also known as the umbrella cockatoo. ITIS, CITES, and BirdLife International recognize the species as *Cacatua alba* (BLI 2013b, p. 5). Therefore, we accept the species as *C. alba*. The white cockatoo is completely white except for the underside of its wings and tail, which are pale yellow. It has a long, backward-curving white crest on its head. Its bill is grey-black, and it has a white bare eye-ring. The bird has either yellowish-white or slightly grey-blue legs.

Population Estimates

Population estimates for the white cockatoo vary, in part due to the remoteness of the islands where this species exists. Population estimates prior to 2000 indicated that the Lalobata protected area on Halmahera Island contained between 28,500 and 42,900 white cockatoos (Snyder et al. 2000, p. 67; MacKinnon et al. 1995), although they did not survey lowland forest, which they thought may contain more white cockatoos. The white cockatoo was described as being common in the early 1990s. Survey work carried out in 1991 and 1992 suggested a population estimate of between 49,765 and 212,430 birds (BLI 2013b, p. 6; Snyder et al. 2000, p. 671; Lambert 1993). The total population has been estimated to be between 43,000 and 183,000 mature individuals; however, this population estimate is based on 1993 data (Lambert 1993 in BLI 2013b). A discussion in a BLI forum offers strong evidence that it could decline by 50–79 percent over the next 39 years (Taylor in BLI 2013d, p. 2). Burung Indonesia (a local NGO devoted to protecting wild birds and their habitats through working with people for sustainable development) estimated that, based on surveys conducted in 2008 and 2009, between 8,629 and 48,393 white cockatoos remain in the wild (Burung Indonesia 2010, pers. comm.) on Halmahera Island.

Biology, Distribution, and Habitat

While the exact lifespan is unknown, reports of the white cockatoo's lifespan vary between 20 and 50 years in captivity (Jordan 2010, pers. comm.; Lambert 1993, p. 147). Wild-caught birds have been reported not to breed until they are 6 years old. The greatest productive breeding age for the white cockatoo is between 6 and 20 years (Jordan 2010, pers. comm.). However, some pairs have been recorded to breed well into their thirties, and a few exceptions have been reported with pairs or individuals that have reproduced into their forties or fifties (Lambert 1993, p. 147). Clutch-size of white cockatoos in captivity is reported to be 2 to 3 eggs per season, and incubation takes 25 to 28 days; nestlings remain in the nest approximately 90 days before fledging (Cameron 2007, p. 140). Both parents share responsibility for raising chicks, and the species is thought to be monogamous for life.

The white cockatoo is endemic to a few islands in North Maluku, Indonesia, and it inhabits primary, logged, and secondary forests possibly up to 900 m (2,953 feet) (Vetter 2009, pp. 25–26). It is not thought to inhabit forests on ultra-basic rock (BLI 2001, p. 1674). This species is believed to occur in three protected areas: Gunung Sibela Strict Nature Reserve on Bacan Island (although this site is threatened by agricultural encroachment and gold prospecting), and Aketajawe Nature

Reserve, and the Lalobata Protected Forest (ALNP), both on Halmahera Island (Indonesian Parrot Protection for Life 2014, p. 4). Historically, its range has been the islands of Halmahera, Bacan, Ternate, Tidore, Kasiruta and Mandiole in North Maluku (BLI 2013b, p. 6; Snyder et al. 2000, p. 67). ALNP consists of approximately 167,300 hectares (413,407 acres) of primary and secondary forest. This total area represents 7.5 percent of Halmahera Island (Burung International 2010, pers. comm). The white cockatoo is believed to only inhabit Halmahera and Bacan Islands (Wildlife Conservation Society (WCS) 2010, pers. comm.). The Bacan Island group, also known as Palau Batjan, is about 16 km (10 mi) southwest of Halmahera Island. Little is known about the status of the species other than on Halmahera Island. Due to the lack of information, this status review only addresses its status on Halmahera Island unless otherwise specified.

The Maluku Islands are also known as the Moluccas or the Spice Islands, and they are between Sulawesi and New Guinea, below the Philippines. The white cockatoo, like most cockatoos, is a resident (nonmigratory) species, but cockatoos are strong fliers, and they will likely travel to nearby islands in search of habitat or food, if it is not readily available. The highest densities of this species occur in primary (old-growth) forest (Burung International 2011; BLI 2009), but the species seems to tolerate some habitat modification. White cockatoos inhabit mangroves, plantations (including coconut), and agricultural land (BLI 2013d, p. 1). This species requires large trees for nesting and roosting, is often observed feeding in large flocks, and eats seeds, fruit, and insects. Their preferred nesting holes were observed to be situated at points where large branches had broken off the main trunk (Lambert 1993, p. 146).

Halmahera (also known as Jilolo or Gilolo Island) is the largest island in the North Maluku province, and is 17,780 km^2 (6,865 mi^2) in size. Its annual precipitation is 2,000 to 3,000 mm (79 to 118 in). Halmahera, a four-pronged island, is considered a biodiversity hotspot (Myers et al. 2000 in Setiadi et al. 2010, p. 560). North Maluku province consists of eight provincial districts: North Halmahera, West Halmahera, East Halmahera, Central Halmahera, South Halmahera, Ternate Municipality, Tidore City and Islands, and Sula Islands. In North Halmahera, as of 2011, the number of districts on the island had increased to 22, and the number of villages has increased from 174 to 260. The human population in Maluku Province in 2010 was estimated to be 1,531,402 (Badan Pusat Statistik Provinsi Maluku 2010). Aketajawe-Lolobata National Park, established in 2004, was the first national park established in North Maluku (Keputusan Menteri Kehutanan No. SK.397/MenHut-II/2004), and is described as being one of the most pristine and unvisited areas in all of Indonesia.

Bacan, a smaller island to the southwest of Halmahera, is also inhabited by the white cockatoo, although very little is known about the status of the species here. This remote, sparsely populated island is not well known. It is 1,900 km^2 (733 mi^2) in area and still contains relatively undisturbed forests. On Bacan, as of 2011, the human population estimate is between 13,000 and 59,000 individuals with the majority residing on the west side of the island, in the capital (Labuha) and nearby villages. The current number of white cockatoos on the island is unknown. Reports from locals indicated that the species had declined on Bacan due to trapping between the 1970s and 1980s (Lambert 1993, p. 146). Surveys conducted here in 1985 found only 76 white cockatoos. In 1991, the population on Bacan and its satellite islands was estimated to be 7,220 to 29,300 white cockatoos (Lambert 1993), but this may be an overestimate of the population size based on the survey methods used (Gilardi 2011, pers. comm.).

Accuracy of survey methodologies varies (Thomas et al. 2009, pp. 5–14; Pollack 2006, p. 882; Thomas 1996, pp. 49–58), and there are limits to how much confidence we can place in the various population surveys (Royle and Nichols 2003). One researcher pointed out that differing survey methodologies can result in differences in at least an order of magnitude. In situations where species are rare or have small populations, the number of observations made per survey may be very small and the number of sites limited, and, therefore, estimates and projections may not be accurate (Pollack 2006, p. 891; Marsden 1999, pp. 377–390).

In some areas, suitable habitat may be disturbed due to habitat modification and infrastructure development. As a result, species' breeding, nesting, and forage habitat have subsequently been destroyed, and the birds are dispersing out of their previously used habitat in search of other suitable areas. It may appear as though the population is larger than it actually is, due to sightings in new locations or the perception that the species is more common because it has been displaced from its original habitat.

In the case of white cockatoos, the population estimate may not be accurate based on the survey methodology used and the inferences made. As of 2011, the population density estimation for this species in the Aketajawe block was between 1.6 and 8.9 individuals per km^2 (Burung Indonesia 2011, pp. 1–5). From this survey, a projection was made to the surrounding area of 5,462 km^2 (2,109 mi^2) of the remaining natural forest area in the vicinity of the national park. Based on this projection, Burung Indonesia (a nongovernmental organization in Indonesia that partners with BirdLife International to protect wild birds and their habitat) estimated the population in the western Halmahera natural forests was 8,630 to 48,393 individuals. This estimate may be optimistic based, in part, on the studies described above (Pollock 2006, p. 882; Royle and Nichols 2003, p. 777; Marsden 1999, pp. 377–390). In addition, because the survey extrapolated the population density for the surrounding area outside of the Aketajawe block (which contains less suitable habitat for the species and is more accessible to poachers) from the estimated density within the Aketajawe Nature Reserve (which contains the preferred habitat for the species and is less accessible to poachers), the density levels outside of the Aketajawe Nature Reserve may be an overestimate. Assuming that between 8,629 and 48,393 individuals were on Halmahera in 2009 and an estimated 49,765 to 212,430 individuals were there in 1992; this trend in population estimates suggests a decrease in the population. As we noted earlier in this document, it is difficult to infer a trend from these estimates because survey methodologies were different. A decrease in the species' population is extremely likely based on the negative effects of habitat loss and poaching that are commonly known to occur on this island.

Local anecdotal accounts of this species' population also vary. The population of white cockatoos is thought to be "very sparse" (WCS 2010, pers. comm.) and rapidly declining (BLI 2013d, p. 1). Populations were conversely described as still being relatively widespread across Halmahera Island, and birds were occasionally observed in flocks (WCS 2010, pers. comm.). In November 2010, this species was observed daily, with flocks up to 23 birds observed during a 5-day trip to Halmahera (WCS 2010, pers. comm.). However, local people consider them to have declined from former population levels.

As of 2014, we have no current estimate of the population on Bacan

Island. Although the last estimate, in 1993, was between 7,220 to 29,300 individuals on Bacan Island, a 1985 survey found only 76 cockatoos. We are unsure of the population trend. Further, in 1993, more than 100 people regularly trapped parrots on Bacan, and this practice was a major source of income (Lambert 1993, p. 155). Poaching is a common practice in Indonesia, and it likely still occurs with regularity on Bacan Island.

Conservation Status for the White Cockatoo

The white cockatoo has been listed in Appendix II of CITES since 1981. Appendix II includes species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and other species which must be subject to regulation in order that trade in specimens of certain species threatened with extinction which are or may be affected by trade may be brought under effective control (CITES Article II(2)). International trade in specimens (dead or live) of Appendix II species is authorized through permits or certificates. International trade in specimens of Appendix II species is authorized when: (1) The CITES Scientific Authority of the country of export has determined that the export will not be detrimental to the survival of the species in the wild; and (2) the CITES Management Authority of the country of export has determined that the specimens to be exported were legally acquired (UNEP–WCMC 2008a, p. 1).

This species is listed on the 2010 IUCN Red list as vulnerable; however, the IUCN Red list confers no legal protections. It is also protected in the United States by the WBCA. The purpose of the WBCA is to promote the conservation of exotic birds and to ensure that international trade involving the United States does not harm exotic birds. Although Indonesia has a national ban against harvest of the white cockatoo, the quota is not effective at eliminating poaching in the wild. Cockatoos are still poached and smuggled into local markets (ProFauna 2010; ProFauna Indonesia 2008, pp. 1–9). The white cockatoo is not listed as a protected species by the Indonesian Republic Forestry Ministry (WCS 2010, pers. comm.).

Information available suggests that a few local protections are in preliminary stages but occurring. Existence of the Aketajawe-Lolobata National Park on Halmahera may serve to reduce hunting pressure and habitat loss if game wardens are monitoring the park. Also on Halmahera, some of the foreign-owned mining operations are considering their environmental impacts (see Factor A discussion on mining). Very few private or nongovernmental organizations (NGOs) operate in the area, in part due to the lack of funding available. Burung Indonesia (*http://www.burung.org*) does some work in this area, mostly in relation to the national park, and there is another local NGO, Konservasi Alam Maluku Utara (KAMU), that is working to try to protect this species (Wildlife Conservation Society (WCS) 2010, pers. comm.). There may be carbon-funded forest protection projects starting in the area that also may convey protection measures, but we know of none operating yet.

Evaluation of Factors Affecting the White Cockatoo

Factor A. The Present or Threatened Destruction, Modification, or Curtailment of the Species' Habitat or Range.

Researchers commonly accept that deforestation and habitat loss is a significant problem in Indonesia (Lee et al. 2013, p. 25; Laurance 2007, p. 1544). Indonesia consists of 17,508 islands and 33 provinces. It is a rapidly developing country, with a population of approximately 230 million (United Nations 2009, p. 11), and is the world's fourth most populous country (United Nations 2009, p. 11). Countries with the highest human population growth rates tend to have the highest rates of deforestation as well (Laurance 2007, p. 1545). As available land becomes scarcer, companies and humans move toward more remote areas in search of resources (BLI 2008, p. 100). Human settlements and plantations are typically located in lowland coastal areas, which is the white cockatoo's preferred habitat (Smiet 1985, pp. 181, 183). The habitat required by the white cockatoo has been impacted by activities such as conversion of its habitat to uses such as development of towns, mining, and logging (particularly illegal logging, which generally fails to use sustainable logging practices) (Lambert 1993, p. 146). Pressure on the islands' resources is increasing (*http://www.indonesia-tourism.com/north-maluku/halmahera_history.html*), in part from the increase in human population on the island, a demand for more resources such as biofuel and agriculture, and to a lesser extent, an increase in ecotourism. Historically, 75 percent of the population on Halmahera has depended on farming or fishing for their livelihood, but this is changing as investors move to the island bringing increased development.

Part of the Indonesian Government's long-term planning strategy is to develop more efficient agriculture to help alleviate poverty. For example, the Government of Indonesia has sold land to a company called the Sustainable Pacific Corporation (SPC), which purchased 300,000 ha (750,000 ac) of land to be used for organic agriculture and livestock breeding, agricultural packing houses, warehouses, tourism, and a sea port (*http://www.associatedcontent.com/article/2412420/halmahera_a_world_sustainable_development.html?cat=3* and *http://worldteakplantation.itrademarket.com/profile/sustainable-pacific-corp.htm*, accessed February 23, 2011). An essential part of this process is infrastructure development, primarily the improvement of roads, which can lead to further illegal logging and land clearance, and also facilitates bird trapping (poaching). This initiative will likely convert land that is currently suitable white cockatoo habitat into land for other uses that are no longer suitable for this species, such as *Jatropha curcas* plantations, which are discussed below.

Logging

Illegal logging is considered to be a leading cause of forest degradation in Indonesia (Rhee et al. 2004, chap. 6, p. 7). Between 2000 and 2005, Indonesia's forest cover declined by more than 90,000 km^2 (34,740 mi^2). Unsustainable logging practices that destroy the forest canopy also reduce habitat available to the white cockatoo (Lusli 2008, p. 22). Logging creates a network of roads, which can lead to secondary problems (BLI 2013b, p. 7; Benítez-López et al. 2010, p. 1307; BLI 2008k, p. 6), such as providing access for poachers. The Center for International Forestry Research estimated that between 55 and 75 percent of logging in Indonesia is illegal (*http://www.cifor.cgiar.org*, accessed December 10, 2010). Illegal logging is pervasive, and the Indonesian Government has been unable to enforce protected forest boundaries (Laurance 2007, pp. 1544–1547; Barr 2001, p. 40). Illegal logging activities include: Overharvesting beyond legal and sustainable quotas, harvesting trees from steep slopes and riparian habitat, illegal timber harvest and land encroachment in conservation areas and protected forests, and falsification of documents. Overexploitation of the forests and illegal logging are driven by the wood-

processing industry, which is reported to consume at least six times the officially allowed harvest (Rhee et al. 2004, p. xvii, chap. 6, p. 8). Illegal logging in national parks is reported with regularity, and the people involved have in the past been armed and described as being ruthless (Whitten et al. 2001, p. 2).

Selective logging is the primary legal method used for the extraction of timber in Indonesia (BLI 2008k, p. 6). In selective logging, the most valuable trees from a forest are commercially extracted (Johns 1988, p. 31), and the forest is left to regenerate naturally or with some management until being subsequently logged again. Johns (1988, p. 31), studying a West Malaysian dipterocarp forest (tall hardwood tropical trees of the family Dipterocarpaceae), found that mechanized selective logging in tropical rain forests, which usually removes a small percentage of timber trees, caused severe incidental damage. The extraction of 3 percent of trees destroyed 51 percent of the forest. He concluded that this type of logging reduced the availability of food sources for frugivores (fruit-eaters). Loggers occasionally find parrots, including *Cacatua alba,* in commercially valuable trees that they cut down, such as *Anisoptera* (locally known as mersawa) in the Dipterocarpaceae family. The white cockatoo has been observed in commercially valuable trees such as *Anisoptera* and *Canarium* species (kenari or kiharpan) (Lambert 1993, p. 146). As of 2008, the BLI assessment stated that much of the habitat for the species was still intact, and even where degraded, the species used degraded areas. This was confirmed by WCS, which indicated that the islands of Halmahera and Bacan still have extensive forest cover; however, because selective logging targets mature trees, it can have a disproportionate impact on tree cavity nesting species such as cockatoos because fewer nest sites remain (BLI 2008k, p. 6).

Although almost 80 percent of its original forest is still intact, the Halmahera Rain Forests ecoregion (including Bacan Island) still faces habitat deforestation threats. As the forests are lost on other Indonesian islands, there is an increasing potential for forestry operations to move to Halmahera and other islands with large, desirable trees. Despite Presidential Instruction No. 4/2005 to eradicate illegal logging in forest areas and distribution of illegally cut timber throughout Indonesia (FAOLEX 2009, p. 1), illegal logging continues (refer to Factor D discussion). Contributing factors include poor forest management practices, rapid decentralization of government, abuse of local political powers, complicity of the military and police in some areas of the country, inconsistent law enforcement, and dwindling power of the central government (Laurence 2007, p. 1544; USAID 2004, pp. 3, 9).

Although illegal logging still occurs, the Indonesian Government is actively working to conserve its resources. The year 2011 was declared the International Year of Forests. Many countries, including Indonesia, are working toward reducing emissions from deforestation and forest degradation (termed REDD) (Ministry of Forestry of the Republic of Indonesia 2008, 185 pp.). Despite these efforts, illegal logging still occurs within this species' range.

Mining

Mining and its associated impacts is a fairly new factor affecting this species. Several companies have mining rights in the Maluku area, particularly on Halmahera (WCS 2010, pers. comm.). PT Antam, the largest mining company in Indonesia, currently operates three nickel mines on the northeast prong of Halmahera (PT Antam 2009). Another mining company, PT Nusa Halmahera Mineral (NHM), is a joint venture company between Newcrest Mining of Australia and PT Antam Tbk, an Indonesian-owned company. They have an exploration license for Bacan and nearby islands to look for gold and other minerals. A third mining company has a license to mine nickel near Ake Tajawi on Halmahera (WWF 2010a).

Two gold mines have been in operation on Halmahera (Newcrest Mining 2010, p. 1). The Gosowong mine was an open-pit, cyanide-leach mine that operated from 1999 to 2002, but has closed. The Toguraci mine began operation in 2004. Toguraci is located 2 km (1.2 mi) southwest of the original Gosowong pit mine. This mining operation is operated by a joint venture company, Pt Nusa Halmahera Minerals (PTNHM) and PT Aneka Tambang. Development of this mine began in July 2003, after approval of a feasibility study and environmental impact statement by the Indonesian Minister of Mines. Actual mining of ore and the first gold production began in February 2004. This mine has been the subject of conflict between local residents and the mining company. Between October and December 2003, several illegal miners occupied the Toguraci mine site. Additionally, the mine is located in a forested area that, according to local residents, is protected under Indonesian law, and, therefore, mining operations should not be allowed. The current operating status of the Toguraci mine is unclear; however, local NGOs indicate that mining on Halmahera does affect the white cockatoo (WCS 2010, pers. comm.; Vetter 2009, pp. 2, 14, 15). Mining activities can affect the white cockatoo's habitat either directly or indirectly, through pressures such as illegal poaching or human encroachment and habitat disturbance.

Yet another mining company, PT Weda Bay Nickel, proposed a nickel and cobalt mining project in 2009 on the island and submitted an environmental monitoring plan (Cardiff 2010, pp. 1–14; PT Weda Bay Nickel 2009, 204 pp.). The footprint of the mining operation appears to be within the boundaries of Aketajawe-Lolobata National Park (Cardiff 2010, p. 1; Vetter 2009, p. 19), which could have significant detrimental effects on Halmahera's wildlife, including the white cockatoo. A review of the proposed mining project indicated that it would likely destroy between 4,000 and 11,000 hectares (9,884 and 27,182 acres) of tropical forest, and between 2,000 and 6,000 ha (4,942 and 14,826 ac) of protected forested area (Cardiff 2010, pp. 6, 9, 12). The review indicated that mining activities are extremely destructive to this habitat. Based on deforestation projections, the population of the white cockatoo is projected to decline more than 65 percent over three generations due to deforestation (Vetter 2009, pp. 25, 26, 51). However, although it is clear that the extractable resources on Halmahera are desirable, as of 2013, the project was not funded by the World Bank.

Biofuel Production

Indonesia is investing in the planting of *Jatropha curcas* trees and palm oil *(Elaeis guineesis)* (Department for Environment, Food and Rural Affairs, United Kingdom 2008, pp. xvii, 47, 64, 65). Rapid expansion of biofuel plantations has led to intense international concern about wide-scale environmental impacts. On Halmahera, at least 500 hectares (3,750 acres) have been allotted for cultivating the Jatropha tree (Consulate General of the Republic of Indonesia 2006, pp. 5–6). Many industries, such as the air transportation industry, are considering the use of fuel from Jatropha as a biofuel source, and it is also being encouraged as a mechanism for carbon credits (*http://www.jatrophabiodiesel.org, http://www.jatrophaworld.org, http://www.jatropha-alliance.org,* accessed May 20, 2014). This oil has been reported to produce energy similar to diesel fuel. Although this species may

yield 4 times as much fuel per hectare as soybeans, and possibly 10 times that of corn, it requires 5 times more water to produce than corn. It is also reported to be desirable to developing countries because its carbon emissions footprint is thought to be relatively small when burned.

Conversion of land to monocultures destroys white cockatoo habitat. Monocultures are generally not suitable habitat for wildlife. White cockatoos require large trees, which provide large enough nesting cavity sites. *Jatropha curcas* is not cultivated as a tree, instead it is cultivated as a large shrub (Gilardi 2011, pers. comm.). As such it will never produce cavities large enough to be suitable for any cockatoo nest. Land conversion will also likely have a negative impact on this species' suitable habitat due to road building, infrastructure development, and other construction (Vetter 2009, pp. 1–10). Because there is currently no effective enforcement body to monitor sustainable land development (also refer to Factor D discussion) on Halmahera, these activities threaten white cockatoo habitat. Therefore, we find that conversion of forests to monocultures for biofuel, particularly Jatropha, is a threat to the white cockatoo.

Summary of Factor A

Deforestation affects endemic bird species restricted to single islands more severely than it affects other species (Brooks et al. 1997, p. 392). Monocultures such as exotic tree plantations and agriculture, as well as resource extraction and logging, are forms of deforestation and habitat loss affecting endemic island species such as the white cockatoo in Indonesia (Laurance 2007, p. 1544). Lowland areas that offer vital habitat for Indonesia's cockatoos have been the most severely impacted (Vetter 2009, p. 4; Cameron 2007, p. 177). As islands become more inhabited and deforested, humans move to other islands that contain available resources (Laurance 2007, p. 1544).

Cockatoos are highly impacted by selective logging of primary forests. Selective logging, which primarily targets mature trees, has a negative impact on cavity-nesters such as the white cockatoo. Vetter 2009 used remote sensing techniques to track the rate and spatial pattern of forest loss in the North Maluku Endemic Bird Area between 1990 and 2003, and projected rates of deforestation over the next three generations for restricted range bird species found in this region (BLI 2013d, pp. 1–2; Vetter 2009). This study estimated the rate of forest loss within the geographic and elevation range of white cockatoo to be approximately 20 percent between 1990 and 2003, and projected the loss of approximately 65 percent of forest in its range over the next three generations.

Research found that the abundance of cockatoos is positively related to the density of its favored nesting trees (large trees that would be impacted by logging), especially since reduced-impact logging techniques are rarely applied. Once the primary forest is logged, experience on other nearby Indonesian islands shows that the secondary forest is generally converted to other uses or logged again rather than being allowed to return to primary forest. Although cockatoos may continue to inhabit secondary forests, the population will be at a substantially lower number. There is generally a delay between deforestation and bird extinctions (Brooks et al. 1999, p. 1,140). During this conversion process, the deforested area is in a state of flux; some bird species are no longer able to exist due to the lack of adequate resources needed for survival (nesting, feeding, and breeding). The high loss of primary forests and degradation of secondary forests is a concern, in part because little is known about the reproductive ecology of white cockatoos in the wild, including breeding success in mature forests versus secondary forests, and whether this species of cockatoo will survive in degraded forests in the long term.

In summary, habitat modification and deforestation activities, such as conversion of primary or secondary forests to exotic tree plantations for biofuel production and agriculture, combined with selective logging and resource extraction (mining), are likely to destroy much of the white cockatoo's habitat (the lowland rain forests of Halmahera) in the near future. While this species may be tolerant of secondary-growth forests or other disturbed sites, these areas do not represent optimal conditions for the species. Based on these factors, we find that the present and threatened destruction, modification, or curtailment of its habitat is a threat to the continued existence of the white cockatoo throughout all of its range.

Factor B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

The primary threat to white cockatoos is poaching from the wild to meet the demand for the pet trade (BLI 2013b, p. 7; ProFauna 2008; Jepson and Ladle 2005, p. 442). Illegal collection for the pet trade is a major problem for wild birds in Indonesia and is the primary threat to this species (ProFauna Indonesia 2010, pers. comm.; ProFauna 2008, pp. 1–9; BLI 2003, pp. 1–2). Bird-keeping is a popular pastime in Indonesia, with deep cultural roots (Jepson and Ladle 2005, p. 442). Parrots have been traded for hundreds of years by people living in the Moluccas. One report indicated that 17 percent of the global white cockatoo population was captured for trade in 1991 alone (Lambert 1993, p. 160). As of 1999, there appeared to be no enforcement of the country's national harvest ban; cockatoos were widely available in local markets.

In 2002, an investigation found 500 white cockatoos were caught to supply the pet trade (ProFauna Indonesia 2010, pers. comm.). Parrots are an important part of the Indonesian culture, which creates significant demand for parrots domestically (BLI 2008k, p. 10). In a survey of bird-keeping among households in five major Indonesian cities, Jepson and Ladle (2005, pp. 442–448) found that as many as 2.5 million birds are kept as pets in the five cities. Of these, 60,230 wild-caught, native parrots were kept by 51,000 households, and 50,590 wild-caught, native parrots were acquired each year (they changed hands, not an indication of birds taken from the wild each year). The study recommended a conservation intervention based on the level of bird-keeping among urban Indonesians. As of 2006, an average of 100 white cockatoos was found for sale in bird markets in Java annually (ProFauna Indonesia 2010, pers. comm.).

The commercial market for pet cockatoos is highly lucrative (Cantú-Guzmán et al. 2007, 121 pp.). Parrots can sell for 75,000 to 500,000 Indonesian Rupiahs (IDR or Rp) each, which equates to between $7.50 and $50 U.S. dollars. A young cockatoo can sell for $20 to $25 USD (ProFauna Indonesia 2010, pers. comm.; Sasaoka 2009, pers. comm., pp. 1–2; ProFauna 2008, p. 3). Because parrots have a high value relative to locals' income, the sale of live parrots can be a significant source of revenue.

Even with government controls, poaching of cockatoos (i.e., hunting by people to gain at least a temporary living from the activity) is relatively common. A demand for this species as pets still exists, and wild-origin birds are less expensive to obtain than captive-bred birds (Reynolds 2010, pers. comm.; Horsfield 2010, pers. comm.). Field research conducted in 2003 through 2005 in a small village (320 people, 60 households) located in the Manusela Valley, Seram, led to the conclusion that collecting wild parrots,

including cockatoos, is a way for villagers to supplement their income during times of economic hardship (Sasaoka 2009, pers. comm., p. 1; Sasaoka 2008, p. 158). In 2003, 21 cockatoos were trapped in the research site by 3 households; in 2004, 25 cockatoos, by 5 households; and in 2005, 26 cockatoos, by 10 households. These researchers found that villagers sometimes kept the cockatoos for several months while waiting for the best price, but normally did not keep them as pets.

Exploitation for commercial purposes prior to 1992 is widely accepted as the primary cause of drastic, rangewide population decline of many parrot species. Prior to 1992, when the WBCA was enacted, critical scientific studies to address issues of detriment to populations, appropriate management of species and sustainable levels of trade had not been undertaken for most CITES Appendix-II bird species in trade. Even in 1992, there was serious concern that the international commercial trade in wild-caught birds was contributing to the decline in the wild of some species of birds listed in CITES Appendix II. However, the implementation of WBCA in addition to CITES has curtailed much of the trade into the United States.

Within Indonesia, however, poaching continues to pose a serious threat to the species. The scope of the illegal trade in white cockatoos is unknown. ProFauna's investigation in 2008 found that this species is regularly poached from the wild and shipped to the Philippines. After reaching the Philippines, what occurs to the birds is unclear. Based on ProFauna's investigation, many of the birds being poached from the wild may be "laundered and described as being of captive-origin." In general, it is difficult, if not impossible, to determine the source of cockatoos (BLI 2003, p. 1).

ProFauna found that around 9,800 parrots, including white cockatoos, are poached every year (ProFauna 2008, p. 3). An investigation completed in 2008 found that the white cockatoo is poached from Maluku and smuggled into the Philippines (ProFauna Indonesia 2010, pers. comm.; ProFauna 2008). Parrot poaching was found to take place most frequently in the central part of Halmahera, as well as Bacan, Obi, and Mandioli (ProFauna 2008, p. 7). The investigation indicated that approximately 10 percent of the 4,000 parrots smuggled annually were white cockatoos. In their investigation, they found bird poachers in Togawa, for example, were able to catch 15 individuals of white cockatoo in a week (ProFauna 2008, p. 3).

During the illegal trade process, many birds die prior to being exported (Cameron 2007, p. 163; Cantú-Guzmán et al. 2007, p. 60; Lambert 1993, p. 157). Methods used for poaching lead to significant mortality. In some cases, white cockatoos in the past have been caught with gum or glue, which would stick to their feathers and cause fatal injuries (ProFauna 2008, p. 2; Lambert 1993, p. 155). Some trappers reported mortality rates between 77 and 80 percent before parrots reach customers, and nestlings experience a higher mortality rate (Cantú-Guzmán et al. 2007, p. 60). ProFauna Indonesia estimated that parrot smuggling in North Maluku, Indonesia, results in approximately 40 percent mortality (5 percent during glue trapping, 10 percent during transportation, and 25 percent during holding to sell in bird markets (due to malnutrition, disease, and stress) (2008, p. 5)). The estimates do not always include deaths of birds before export, smuggled birds, and birds domestically traded. Others estimate that as few as one-fourth of those poached survive the process of removal from their native, wild habitat to captivity.

A 2007 investigative report of the illegal parrot trade in Mexico revealed the magnitude of illegal trade of parrot species (Cantú-Guzmán et al. 2007, 121 pp.). The investigation found that documents are frequently forged to smuggle desirable and increasingly rare parrot species (p. 38). The organization that seizes parrots in Mexico, the Federal Attorney for the Protection of the Environment (PROFEPA), indicated that their most serious problem is combating the illegal bird trade (p. 45). Although this investigation was done in Mexico, it reflects a problem in many countries where parrots occur.

The extent of undocumented illegal trade (international and domestic) is difficult to quantify (Pain et al. 2006, p. 322; Thomsen et al. 1992, p. 3). Cases of seizures reported to the CITES Secretariat since 1990 are small—1 live bird seized in Austria in 1997; 25 live birds seized in the United Arab Emirates in 1998; and 4 live birds seized in Indonesia in 1999 (Sellar 2009, pers. comm., p. 2). Between 2000 and 2010, the United States refused import clearance for three birds reported as *Cacatua* species. One bird was described as *C. alba* in 2010; the other two birds were unknown *Cacatua* species. All three birds were reexported.

Additionally, discrepancies in the UNEP–WCMC Trade Database are common, so it is difficult to understand the full extent that this species is in trade. Between 1993 and 2002, although Indonesia had reported the export of 712 wild-caught birds, import records from other CITES countries recorded 1,646 (UNEP–WCMC 2010; Cahill et al. 2006, p. 162). The Service found a report in 2009 that included an export to the United Arab Emirates (UAE) from South Africa for which South Africa reported 614 captive-bred live birds exported and the UAE reported 965 captive-bred birds imported. Despite these discrepancies, the best available information suggests that this species is a desirable pet, and its removal from the wild is still occurring.

Locally, a high level of parrot poaching in north Halmahera is due in part to the lack of supervision by Natural Resources Conservation (KSDA) officers in the Forestry Department (ProFauna 2008, p. 3). The KSDA officers do not conduct regular enforcement or patrol. An NGO working with this species indicated that they had received several white cockatoos from Indonesian authorities who had confiscated them from poachers (Metz 2010, pers. comm.). Most of the Indonesian parrots come from Halmahera Island and are shipped to the Philippines. A 2008 investigation found that 40 percent of parrots were smuggled to the Philippines from the port in Pelita Village, Galela District in northern Halmahera (ProFauna 2008, p. 5). The birds are apparently smuggled to Balut Island or to General Santos in the Philippines. The journey to smuggle parrots from Halmahera, Indonesia, to General Santos, the Philippines, takes more than 9 hours, not including the time it takes to transport birds from the forest, to villages, and then to the port. The transactions are done offshore or in the sea, where the Philippine dealers collect the parrots from Indonesian ships. Upon arrival at General Santos, the birds are sent to Cartimar market in Manila, the capital of the Philippines (ProFauna 2008, p. 4). Since there is little disincentive for locals, it is a low-risk and lucrative source of income. Law No. 5, 1990, governing the conservation of biological resources and their ecosystems, was enacted to protect natural resources and the ecosystems (Yeager 2008, pp. 3–4); however, poaching and illegal trade continue to occur (also see discussion under Factor D). Despite the existence of legislation, this illegal trade of protected parrots continues.

The presence of mining projects in Halmahera is also likely to increase demand locally for birds (see Factor A discussion above). Temporary workers are known to buy these birds as gifts, and even police and military personnel posted to the area have contributed to

this problem (WCS 2010, pers. comm.). ProFauna has encouraged the Navy of Indonesian Armed Force (TNI) and the Indonesian Marine Police to improve the patrol of marine boundaries between Indonesia and the Philippines in order to decrease this illegal trade. The governments of both Indonesia and the Philippines are working to enforce their wildlife laws (ProFauna 2008, pp. 8–9); however, poaching continues.

Stopping illegal trade is further complicated by the vast size of Indonesia's coastline, and government officials have limited resources and knowledge to deal with the illegal pet trade (Laurence 2007, p. 1544). To combat illegal wildlife trade, Southeast Asian countries, including Indonesia, formed the Association of South East Asian Nations-Wildlife Enforcement Network (ASEAN–WEN) in 2005 to protect the region's biodiversity (*http://www.asean.org,* accessed March 3, 2011). ASEAN–WEN uses a cooperative approach to law enforcement (Cameron 2007, p. 164). It focuses on the gathering and sharing of intelligence, capacity building, and better cooperation in anti-smuggling and Customs controls across Southeast Asia (Lin 2005, p. 192). For example in 2008, Indonesian police officers and forestry and Customs officers participated in an intensive Wildlife Crime Investigation Course presented by the U.S. Fish and Wildlife Service to help the government tackle poaching and smuggling (Wildlife Alliance 2008, p. 2). Despite these efforts, illegal trade of white cockatoo still occurs within Indonesia.

Summary of Factor B

In summary, overutilization (poaching of the white cockatoo for the pet trade) is a significant threat to the species contributing to the species' population decline. Poaching and illegal trade is difficult to control, in part because Indonesia has a vast coastline, and because income derived from poaching can be a significant source of income for local people. Birds are clearly being poached and shipped to the Philippines, and there is strong demand for this species within Indonesia. Additionally, having a parrot as a household pet is a common part of Indonesian culture. Government officials have limited resources to deal with the illegal pet trade. Indonesia is a founding member of ASEAN–WEN and has made an effort to train its police, forestry, and Customs officers in methods to tackle poaching and smuggling. However, the wildlife protection laws are not vigorously enforced at local levels for this species.

Although ProFauna Indonesia and the Indonesian Institute of Sciences have requested that the Forestry Department of Indonesia list the white cockatoo as a protected species, and the Sultan of Ternate Palace has forbidden the poaching of this species (ProFauna Indonesia 2010, pers. comm.), poaching and illegal cross-border trade still occur. The ProFauna investigation in 2008 found that enforcement in both Indonesia and the Philippines is lacking. In part because this species does not begin to reproduce until approximately 6 years of age, and because this species is thought to be monogamous and usually mates for life, this level of poaching for the pet trade is a considerable threat to the species in its ability to maintain its population. Based on the best available information, we find that overutilization is a threat to the continued existence of this species.

Factor C. Disease or Predation

We are unaware of any reports of diseases negatively affecting white cockatoos in the wild. Since disease and predation associated with this species in the wild are not well documented, we extrapolate from what is known about cockatoos in general (see analysis under Factor C for the Philippine cockatoo). Although some serious diseases such as beak and feather disease and PDD occur in cockatoos in the wild, we found no information that these diseases occur in cockatoos in the wild in Indonesia. Cases of avian influenza (H5N1) do occur in Indonesia, but parrots, particularly cockatoos, are not considered to be natural reservoirs of this disease (Indonesian Parrot Project 2006, pp. 1–2). With respect to predation, the white cockatoo has natural predators, but we were unable to find information that these natural predators are having a negative impact on the productivity of this species. Therefore, we find that the white cockatoo is not threatened due to disease or predation.

Factor D. The Inadequacy of Existing Regulatory Mechanisms

Domestic Regulatory Mechanisms

Indonesia has laws and regulations in place to conserve its biodiversity, manage its forests, regulate trade, provide species protection, and develop and manage protected areas. However, these laws and regulations are frequently ignored (BLI 2008k, p. 7; Laurance 2007, p. 1,544), and the country is unable to adequately monitor its vast area, which consists of 17,508 islands. The Indonesian economic crisis that led to the downfall of the Suharto regime resulted in the government instituting a decentralization policy that gave local governments greater autonomy (Vetter 2009, p. 15). However, this decentralization resulted in confusion of roles and responsibilities, and implementation of decentralization has been slow and uncertain. Conflicting interpretation of policies and priorities and the lack of capacity or experience of local governments have occurred (Rhee et al. 2004, chap. 2, p. 20).

According to ProFauna, the high level of parrot poaching in north Halmahera is in part due to the lack of monitoring by Natural Resources Conservation (KSDA) officers in the Forestry Department (ProFauna 2008, p. 3). There is no regular enforcement or patrol by the KSDA officers (ProFauna 2008, p. 3). The North Maluku Government and ProFauna Indonesia have proposed to the Forestry Ministry that the species be classified as a protected species (BLI 2013b, p. 7; ProFauna 2010, pers. comm.).

In Indonesia, the export of wild-caught parrots is generally subject to harvest and export quotas. However, because the white cockatoo is not on the Indonesian Government's list of protected species (ProFauna 2010a, pers. comm.; Rhee et al. 2004, chap. 5, p. 2, App. VIII; Law No. 5 1990, pp. 1–44), Indonesia has no legal export quota for wild-caught specimens of this species (IPP 2010). In 1988, the Indonesian Government began issuing quotas on trapping for the white cockatoo; however, these trapping quotas were poorly enforced. In 1999, no quota was issued, and all capture was reported to be illegal after 1999 (BLI 2013b, p. 7). However, an NGO reported that there was a catch quota of the white cockatoo for 2007. It was issued by the General Director of Perlindungan Hutan dan Konservasi Alam (PHKA; Forest Protection and Nature Conservation under the Indonesian Ministry of Forestry), and the catch quota was for 10 pairs that were to be used only for breeding (ProFauna 2008, p. 3). However, that quota was exceeded (ProFauna 2010, pers. comm.). As of 2010, information indicated that there was no longer a catch quota (ProFauna 2010, pers. comm.), but that restrictions may apply to commercial purposes, rather than breeding. According to WCS (2010, pers. comm.), this species is trapped and sold, and this can include trapping on a "commercial" scale by professionals, or farmers trapping occasional birds and then selling them to wholesalers. In 2007, at least 200 white cockatoos were caught from the wild in North Halmahera, which far

exceeded the quota of 10 pairs (ProFauna 2008, p. 3).

Additionally, in 2010, the Sultan of Ternate Palace issued a *fatwa* (order) forbidding the poaching of cockatoos in the wild. However, as stated before, enforcement often is severely lacking (Shepherd et al. 2004, p. 4) or difficult, and therefore, illegal activities remain socially acceptable at the local level. Illegal trade has been reported to the Natural Resource Conservation Agency, which is responsible for enforcing the law, but to date enforcement efforts remain ineffective (ProFauna Indonesia 2004, p. 8). To further complicate enforcement efforts, some bird dealers claim that members of the Department of Forest Protection and Nature Conservation are involved in the illegal trade of this species (Shepherd et al. 2004, p. 4).

Existing regulatory mechanisms within Indonesia, as implemented, are inadequate to reduce or remove the current threats to the white cockatoo. Even with government controls, poaching of cockatoos is relatively common (WCS 2010, pers. comm.). As discussed under Factor B, we found that poaching is a significant factor affecting the white cockatoo. There is some evidence that the actions of the Indonesian government agencies and the military are changing; however, if penalties are not enforced for illegal trade, trapping from the wild will continue (ProFauna Indonesia 2004, pp. 9–11). In conclusion, we find that the existing regulatory mechanisms are inadequate to reduce or remove the current threats to the white cockatoo. No information is available to suggest that these regulatory mechanisms will improve in the foreseeable future.

CITES

Indonesia has been a member of CITES since December 28, 1978. It has designated Management, Scientific, and Enforcement authorities to implement the Treaty (CITES 2013) and has played an active role in CITES meetings. Because this species is not listed in Appendix I, which would mean that commercial trade would be prohibited except under certain circumstances, legal international trade is still occurring for this species.

Between 2000 and 2009, there was generally a downward trend in international trade in the white cockatoo (UNEP–WCMC CITES Trade Database, accessed January 4, 2011). According to the CITES UNEP–WCMC Trade Database, 1,321 live white cockatoos were exported in 2000, 741 in 2008, and 1,574 in 2009. Between 2000 and 2009, trade in 12,321 live white cockatoos was reported. The majority of these birds were exported from South Africa and were reported as captive origin. Between 2000 and 2009, only 28 live white cockatoos were reported as wild origin. None of these live specimens reported as wild origin was exported directly from Indonesia. Of the shipments of live birds, 8,435 were described as captive origin, 19 were described as "unknown" origin, and 20 were described as pre-Convention, seized, or confiscated. Of the countries that reported the most exports of live white cockatoos, 371 specimens were reported as exported from Indonesia, 5,009 specimens were reported as exported from South Africa, and 1,044 specimens were reported as exported from the Philippines. Since discrepancies often arise between the numbers of animals reported by both exporting and importing countries, these values are derived using the reported trade from both the exporting countries and the importing countries. Note that countries that are not Parties to CITES do not submit annual report trade data to UNEP–WCMC. However, Parties, in their annual reports, do include data on their trade with non-parties, and these data are recorded in the UNEP–WCMC Trade Database. Also, while the Database does not include CITES annual report trade data from CITES Parties that did not submit annual reports, it does include CITES trade data from Parties that submitted their annual reports and engaged in CITES trade with those non-submitting Parties.

Between 2010 and 2012 (complete trade data was not available for 2013), the trade database indicates that this species is commonly in trade (*http://trade.cites.org*, accessed May 19, 2014). However, very few were reported as being exported from Indonesia, and none of those from Indonesia were reported as wild origin. In 2010, none were reported as being exported from Indonesia; in 2011, 30 were reported as being exported from Indonesia, and in 2012, the trade database indicated 20 captive-origin white cockatoos from Indonesia.

The purpose of CITES is to ensure that international trade in animal and plant species is not detrimental to the survival of wild populations by regulating the import, export, and reexport of CITES-listed animal and plant species. The best available data indicate that the current threat to this species of cockatoo stems from illegal trade in the domestic markets of Indonesia and international surrounding countries. As discussed under Factor B above, uncontrolled illegal poaching for the pet trade continues to adversely impact white cockatoos. Despite illegal trade, CITES is adequately regulating legal international trade.

Summary of Factor D

In summary, we find that the existing regulatory mechanisms within Indonesia, as implemented, are inadequate to reduce or remove the current threats to white cockatoos. Local protections in place provide some protection to white cockatoos. While Indonesia has a good legal framework to manage wildlife and their habitats, implementation of its laws and regulatory mechanisms is inadequate to reduce the threats to white cockatoos. The national parks on Halmahera may provide some protection to white cockatoos; however, management of protected areas is hindered by staff shortages and lack of expertise and money. As discussed under Factors A and B above, we found that habitat destruction and poaching are threats to white cockatoos. Deforestation and illegal activities are still rampant in Indonesia (Sau 2013, pp. 1–2; Gaveau et al. 2009, p. 2165; Laurance 2007, pp. 1–7). The national and local regulations and management of this species' habitat are ineffective at reducing the threats of habitat destruction (see Factor A) and poaching for the pet trade (see Factor B). The white cockatoo is listed in Appendix II of CITES (see discussion under Conservation Status for the White Cockatoo above), and CITES appears to be an adequate regulatory mechanism to address legal international trade.

Even with government restrictions, poaching of cockatoos (i.e., hunting by people to gain at least a temporary living from the activity) is still relatively common in Indonesia. Nestlings are more desirable as pets, yet their mortality rate when taken from the wild is greater than that of adults (ProFauna 2008). Laws and regulations are frequently ignored, and this adds to the inability to enforce them due to the remoteness of the areas where this species is located. No information is available to suggest regulatory mechanisms within Indonesia will be adequate to protect this species in the foreseeable future; therefore, we find that the inadequacy of regulatory mechanisms is a threat to the white cockatoo throughout its range.

Factor E. Other Natural or Manmade Factors Affecting the Continued Existence of the Species

Ecotourism

The Halmahera region is an emerging diving destination (WWF 2010a, p. 2).

An Internet search found several Web sites offered diving trips that are in the Halmahera region; there is a video available online (*http://www.youtube.com/watch?v=PEmEB-Zj_L4*, accessed May 22, 2014), entitled "Diving travel: The North Halmahera Experience." Although the Halmahera region is remote and few diving operations exist, there is the potential for the diving industry to expand and exert more of an effect on the islands in this area. However, at this time, the best available information does not indicate that diving-related activities on or near Halmahera negatively affect the white cockatoo. We are not aware of any tourist activities occurring on Bacan Island. We found no other natural or manmade factors affecting the continued existence of the white cockatoo. Therefore, we find there are no threats to this species under this factor.

Finding for the White Cockatoo

As required by the ESA, we considered the five factors in assessing whether the white cockatoo is endangered or threatened throughout all or a significant portion of its range. We analyzed the potential threats to the white cockatoo including: Habitat loss and degradation, poaching for the pet trade, disease and predation, the inadequacy of regulatory controls, and other natural or manmade factors, such as the conversion of habitat to monocultures for biofuel, and ecotourism activities such as diving. We found that habitat loss, particularly due to selective logging, and conversion of forests to agriculture, mining, or biofuels, is a threat to the white cockatoo; the population is declining rangewide (Factor A). Halmahera is becoming increasingly more desirable to developers and investors as natural resources become scarcer.

We found that poaching for the pet trade is the most significant threat to the species, despite local public awareness campaigns. Researchers estimate that between 8,629 and 48,393 individuals of this species remain in the wild on Halmahera; the number of white cockatoos remaining on Bacan Island is unknown, though poaching of wild birds on this island is believed to be occurring. Pet birds are an important part of not only Indonesian culture, but also Asian culture, with large numbers of wild-caught parrots traded domestically and internationally (ProFauna 2008, pp. 3–4; BLI 2004, pp. 1–2; Baula et al. 2003, pp. 1–12). Trappers reportedly remain quite active. Wild-caught birds are openly sold in Asian markets, particularly in the nearby Philippines (ProFauna 2008, pp. 3–4; BLI 2003, pp. 1–2). An investigation conducted by NGOs in Indonesia in 2002 and 2003 found evidence of wild birds in local markets, and sellers reported that they were destined to go to countries such as Europe (BLI 2004, pp. 1–2). The attempt to end illegal trade is hampered by Indonesia's large coastline and officials with limited resources and knowledge.

Unsustainable poaching is particularly detrimental to the white cockatoo because of its estimated small and rapidly declining population. Excessive removal of individuals from the wild for illegal trade is particularly harmful to species such as the white cockatoo, which are a monogamous, long-lived species that do not begin breeding until they are 6 years of age. Additionally, because this species has a high monetary value (Basile *in litt.* 2010, pp. 6–7) and little risk is associated with poaching, poaching is financially lucrative. The Act describes a "threatened species" as "any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." The best available information indicates that poaching and trade are not at a level to consider the species to be in danger of extinction at this time. However, based on the analysis of the five factors discussed above, we determine that the white cockatoo is likely to become an endangered species within the foreseeable future. Therefore, we find overutilization for commercial, recreational, scientific, or educational purposes (Factor B), specifically poaching for the pet trade, is a threat to the white cockatoo throughout its range.

We found no evidence that disease or predation (Factor C) significantly affects the wild white cockatoo population throughout its range.

The white cockatoo is not currently classified as a protected species by the Indonesian Government. Although Indonesia has a good legal framework to manage wildlife and their habitats, implementation of its laws and regulatory mechanisms has been inadequate to address the threats to the white cockatoo, in part due to the remoteness of the white cockatoo's habitat. Logging laws and policies are frequently ignored and rarely enforced, and illegal logging is rampant, even occurring in national parks and nature reserves. Current concession policies and logging practices hamper sustainable forestry. Threats to the species have not decreased; local NGOs indicate the population trend is declining. Despite numerous laws and regulatory mechanisms to administer and manage wildlife and their habitats, existing laws are inadequate (factor D) to protect the species and its habitat from these other factors.

Although diving activities are increasing near islands containing white cockatoo habitat, we have no evidence that ecotourism is a threat to this species now or in the foreseeable future. Therefore, we conclude that there are no other natural or manmade factors that are threats to the species throughout its range (Factor E).

Under the ESA, an "endangered species" is defined as "any species which is in danger of extinction throughout all or a significant portion of its range." The ESA defines a "threatened species" as "any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Based on our review of the best available scientific and commercial information pertaining to the above five factors, we find that the white cockatoo meets the definition of a "threatened species" under the ESA, and we are finalizing our rule to list the white cockatoo as a threatened species throughout its range. Our rationale for proposing to list this species as threatened rather than endangered is due to its current distribution within its range and its dispersed distribution on two islands, which provides resiliency to the population against threats such that the species is not currently in danger of extinction. However, white cockatoo is likely to become in danger of extinction in the foreseeable future throughout its range.

BLI indicates that this species is undergoing a rapid population decline of 30–49 percent over the past three generations (estimated to be approximately 39 years based on an estimated generation length of approximately 13 years), principally due to unsustainable levels of exploitation. This rapid population decline is likely to continue into the foreseeable future unless revised trapping quotas are effectively enforced (BLI 2013d, pp. 1–2). As stated previously, existing regulatory mechanisms in Indonesia are inadequate to reduce or remove the current threats to the white cockatoo and no information is available to suggest that these regulatory mechanisms will improve in the foreseeable future. BLI also offers strong evidence that the white cockatoo population could decline by 50–79 percent over the next 39 years (BLI 2013d, p. 2). Based on deforestation

projections, the population of the white cockatoo is projected to decline more than 65 percent over three generations due to deforestation (Vetter 2009, BLI 2013d). Although the best available information indicates that the species is not currently in danger of extinction and, thus, does not qualify as an "endangered species" under the ESA, we conclude that the species is likely to become endangered in the foreseeable future and qualifies as a threatened species.

Significant Portion of the Range

Having determined that the white cockatoo meets the definition of threatened throughout its range, we must next consider whether there are any significant portions of its range that meet the definition of endangered. For the purpose of this analysis, we consider a portion of the white cockatoo's range to be significant if it is important to the conservation of its range because it contributes meaningfully to the representation, resiliency, or redundancy of its range (see Redford et al. 2011). The best available information indicates that threats to the species occur throughout its range. Although declines on Halmahera have been quantified to some extent, the lack of any information, including quantitative population trend information for Bacan Island, precludes a comparison of the declines in these two portions of its range. Further, we found no information indicating that the threats are of greater magnitude or extent in any portion of its range on Halmahera Island. The limited information available for the white cockatoo does not allow us to determine what portion of the range if any, would be impacted to a significant degree more than any other. Therefore, we conclude that the threats to the species are uniform throughout its range, and no portion of its range is currently in danger of extinction.

Species Information

C. Yellow-crested cockatoo (*Cacatua sulphurea*)

Taxonomy and Description

The yellow-crested cockatoo has four recognized subspecies: *Cacatua sulphurea abbotti* (Oberholser, 1917), *C. s. citrinocristata* (Fraser, 1844), *C. s. sulphurea* (Bonaparte, 1850), and *C. s. parvula* (Gmelin, 1788). IUCN and BLI recognize *C. sulphurea* at the species level only. All four subspecies are recognized by ITIS (*http://www.itis.gov*). These four subspecies are endemic to Timor-Leste (an independent state which is adjacent to West Timor, a part of Indonesia) and Indonesia. The yellow-crested cockatoo inhabits forest, forest edge, scrub, and agricultural land (BLI 2013c, p. 2), but prefers primary lowland forest. Historically, it was found throughout the Lesser Sundas, on Sulawesi and its satellite islands, on Nusa Penida (near Bali), and the Masalembu Islands (in the Java Sea). These subspecies (hereafter collectively referred to as the species) are found in forested habitat in the lowlands up to 500 m (1,640 feet) on Sulawesi and up to 800 m (2,625 feet) and sometimes 1,200 m (3,937 feet) in the Lesser Sundas (Snyder 2000, p. 69; Jones et al. 1995; Collar 1994). They prefer large, mature trees with nesting areas higher in the canopy, and they prefer internal forested areas to forest edges (Jones et al. 1995, pp. 27–28, 39).

There is substantial discussion in scientific literature that debates the classification of island species and whether they deserve species status rather than subspecies status (James 2010, pp. 1–5; Phillimore 2010, pp. 42–53; Pratt 2010, pp. 79–89). This is sometimes significant with respect to conservation measures, particularly when considering the criteria used by organizations such as the IUCN. IUCN accepts assessments of subspecies only if a global assessment of the species as a whole has occurred. These four subspecies may all be in fact species, but for the purpose of this rule, these four subspecies face the same threats, are all generally in the same region of Indonesia, and all have quite small populations. Absent peer-reviewed information to the contrary, and based on the best available information, we recognize all four subspecies as being valid. For the purpose of this rule, listing *C. sulphurea,* which includes all subspecies, is prudent.

Use of Scientific Names in This Section

It is generally our practice to use the scientific name of the species in the beginning of the document for avian species, and, subsequently, refer to each species by their common name; however, in this section, we will generally refer to the species by their scientific names. There are many similar cockatoo species, some of which have similar sounding common names, which may cause some confusion. For example, the yellow-crested cockatoo is also referred to as the lesser sulphur-crested cockatoo, which is *Cacatua sulphurea,* but the sulphur-crested cockatoo, which is *C. galerita,* is endemic to Australia. Additionally, because there are four recognized subspecies of *C. sulphurea,* using their scientific names is more precise and clear. Finally, because the common names vary by locality, referring to these species by their scientific names is more effective.

Biology

Two tree species used by *Cacatua sulphurea* for nesting include *Sterculia foetida* (wild almond tree) and *Tetrameles nudiflora* (Binong) (Widodo 2009, p. 85). Nesting cavities have been observed to be 6 to 18 m (20 to 60 feet) above ground (Setiawan 1996 in Prijono 2008, p. 3). The breeding season does not appear to be set or restricted (Prijono 2008, p. 3), and it may coincide with the availability of nutrients in food sources. Incubation is shared by both parents. Incubation lasts 28 days, and the nestling period is 65 days until fledging (Cameron 2007, p. 140).

C. sulphurea's diet includes *Mangifera indica* (mango); *Carica papaya* (papaya); *Ficus* spp. (fig); *Psidium guajava* (guava); *Eugenia malaccensis* (jambu bol); *Opuntia elation* (prickly pear cactus); *Annona squamosa* (srikaya); flowers of *Cocos nucifer* (coconut); *Tamarindus indica* (tamarind); flowers and fruit of *Avicennia* (mangrove); fruit of *Dehaasia* (marangtaipa) and young leaves of *Sonneratia* (mangrove); and ninifo, thought to be within the *Canarium* genus (Nandika 2006, p. 10).

Feral Populations

Feral populations of released or escaped captive-held yellow-crested cockatoos have established themselves outside of their native range; however, they exist in low numbers (Lin and Lee 2006, p. 188). Between 1986 and 2000, researchers observed 11 feral yellow-crested cockatoos in Taiwan (Ling and Lee 2006, p. 190). *Cacatua sulphurea* has also become feral in places such as Singapore, Hong Kong, New Zealand, and Western Australia. In 1998, the species was described as being locally common in south and east Singapore, including the islets of St John's and Sentosa, and reportedly breeding in gardens and parks, with possibly between 30 and 50 birds existing there (PHPA/LIPI/BirdLife International-IP 1998 in BLI 2001, p. 1652).

Population Estimates

C. sulphurea was formerly common throughout much of its range. There is evidence of substantial population declines on the island of Sulawesi, where it may already be beyond recovery (Gilardi 2011, pers. comm.; Cahyadin and Arif 1994; Andrew and Holmes 1990), and the Lesser Sundas, where it is believed to be close to extinction on Sumbawa and Flores. It is

still fairly common in the Komodo National Park (Prijono et al. 2008, p. 7; Butchart et al. 1996). As of 2001, *Cacatua sulphurea sulphurea* only existed in tiny remnant numbers, except perhaps for a small population in Rawa Aopa Watumohai National Park (BLI 2001, p. 1648). *C. sulphurea* is extirpated on Lombok (BirdLife-IP in litt. 1997). *C. s. abbotti* is at a critically low population level; *C. s. parvula* is doing fairly well on Komodo in Komodo National Park; and *C. s. citrinocristata* persists but was steadily declining on Sumba (BLI 2001, p. 1648). On Nusa Penida, this subspecies was last recorded in 1986 (van Helvoort in van Balen 1994).

Population estimates for each subspecies vary in part due to the remoteness of the islands where they exist. The BLI Web site reported as of 2013 that 1,500–7,000 mature individuals are estimated to remain in the wild (BLI 2013c, accessed September 26, 2013). We believe, based on reports from local researchers and NGOs as we describe below, that the populations may be significantly less. However, there is consensus that the numbers of this species are rapidly declining in the wild (BLI 2013c, pp. 1–2). Population estimates for each subspecies are as follows: *Cacatua sulphurea abbotti,* 40; *C. s. citrinocristata,* 100 to 2,000; *C. s. parvula,* 800 to 1,500; *C. s. sulphurea,* 100 to 150. The population estimates and a discussion of the subspecies' status are presented in more detail below.

Cacatua sulphurea abbotti

Abbott's cockatoo, the largest of the yellow-crested cockatoos, is known only from a single island in the Masalembu Archipelago, which is 500 ha (1,235 ac) and in the Masalembu Archipelago in the Sulawesi Strait. This island is in the Java Sea, north of the cities of Surabaya and Bali, and east of southern Sumatra. The subspecies is considered to be extirpated from Masalembu Island (also known as Salembo Besar) (Indonesian Parrot Project 2010). *C. s. abbotti* has a mostly white body with a brilliant yellow, forward-curving crest, and slight yellow on its ear covert feathers. The species prefers very large trees within the *Datiscaceae* family for nesting (Snyder 2000, p. 69). When Abbott first found the endemic form *abbotti* in 1907, he "reported it in hundreds" on Masalembu (Oberholser 1917 in BLI 2001, p. 1651). Only between 8 and 10 individuals of the subspecies *abbotti* were located in 1993 on the Masalembu Islands (Jones et al. in prep. in Cahyadin and Arif 1994), and 6 to 8 birds were found in 1998. In 2008, a few individuals were found on Solombo Kecil Island. In IPP's last population survey, they found that, on Solombo Kecil, fewer than 30 individuals remain (Metz 2010, pers. comm.). The population of this subspecies as a whole has declined more than 80 percent within three generations (45 years). Although the Indonesian Parrot Project has started a conservation program for this subspecies, it is too early to report on progress of the conservation program (BLI 2013c, pp. 1–2).

Cacatua sulphurea citrinocristata

The subspecies *citrinocristata* is found on Sumba where the 2002 estimate of the population was between 565 and 2,054 individuals (Cahill et al. 2006, p. 265; Persulessy et al. 2003 in Prijono 2008, p. 5). Another 2002 survey by WCS found a density of 4.3 birds per km^2 within the two national parks, Manupeu-Tanadaru and Laiwangi-Wanggameti (Kinnaird 2003 in Prijono 2008, p. 5). On Sumba, *C. s. citrinocristata's* population in 1995 was estimated to be just over 3,000 (Jones et al. 1995, p. 39). Earlier surveys in 1989 and 1992 (Marsden 1995 in Prijono 2008, p. 5) estimated the total population of *C. s. citrinocristata* to be between 1,150 and 2,644 birds. On Sumba, *C. s. citrinocristata* populations increased between 1992 and 2002, likely due to moratoria on international trade and local protections (Cahill et al. 2006, p. 162). The population on Sumba is thought to be roughly 100 birds (Gilardi 2011, pers. comm.). The earlier population estimates may have been overly optimistic based on surveying techniques, or the population has rapidly declined.

Sumba Island is located in the Lesser Sundas in southeastern Indonesia. The island is 12,000 km^2 (4,633 mi^2), 210 km (130 mi) in length, and 50 km (31 mi) south of Flores Island. Its highest point is Gunung Wanggameti at 1,225 m (4,019 feet). Precipitation is between 500 and 2,000 mm annually (20 to 79 inches). As of 1995, forest covered less than 11 percent of the island (McKnight et al. in prep in Jones et al. 1995, p. 22) and was confined to relatively small and fragmented pockets.

The two national parks, covering 1,350 km^2 (521 mi^2), were established on Sumba through Ministerial Decree No. 576/Kpts-II in 1998. Manupeu-Tanadaru (280 km^2 or 108 mi^2) seems to have the healthiest population of cockatoos. It had the highest density of cockatoos when surveyed both in 1992 and 2002 (Cahill et al. 2006, p. 164). However, of 33 forest patches surveyed, cockatoos were recorded in only 17 (O'Brien et al. 1997 in Cahill et al. 2006, p. 166).

Cacatua sulphurea parvula

Historically, *C. s. parvula* was found on most of the Lesser Sunda Islands (also known as Nusa Tenggara) including Penida, Lombok, Sumbawa, Moyo, Komodo, Flores, Pantar, Alor, Timor, and Semau Islands. Currently, this subspecies is found on Alor, Pantar, Komodo, and Sumbawa Islands. As of 2008, in the past 10 years, populations of more than 10 cockatoos had been found at only 2 locations (Prijono 2008, p. 6; Setiawan et al. 2000). In 1994, on Sumbawa, this subspecies was observed at 3 sites and reported by islanders to occur at 14 more locations although in very low numbers (Widodo 2009, p. 84; Setiawan et al. 2000). In 2000, 80 individuals were observed on Alor Island; the population estimate was 678 to 784 individuals on this island.

As of 2001, it was thought that West Timor and other small islands in the Lesser Sundas could support only a few individuals (Agista and Rubyanto 2001; Setiawan et al. 2000; PHKA/LIPI/BirdLife International–IP 1998). In 2004, the population estimate on Timor-Leste (East Timor) was between 500 and 1,000 individuals (Trainor et al. *in litt.* 2004). On Timor-Leste, *C. s. parvula* was recorded in six locations (Tilomar, Fatumasin, Sungai Clere, Lore, Monte Paitchau–Iralalora, Mount Diatuto) (Trainor 2002, pp. 93–99). Below is a summary of observations and population estimates for this subspecies.

- Alor Island: 80 individuals observed; population estimate was 678 to 784 individuals (Setiawan et al. 2000 in Widodo 2009, p. 84).
- Flores Island: 14 individuals observed (Ria; Watubuku forest, part of Lewotobi area, see Butchart et al. 1996 in Widodo 2009, p. 84).
- Komodo Island: 137 individuals observed; population estimate was 150 (Imansyah et al. 2008).
- Moyo Island: 10 individuals observed (Setiawan et al. 2000).
- Pantar Island: 29 individuals observed; population estimate was 444 to 534 individuals (Setiawan et al. 2000).
- Sumbawa Island: 14 individuals observed in 1996; subspecies observed at 3 sites and reported by islanders to occur at 14 more, although in very low numbers (Setiawan et al. 2000).
- East Timor (Timor-Leste): Population estimate was 500 to 1,000 individuals in 2004 (Trainor et al. 2005, pp. 121–130).
- West Timor: 8 individuals observed (Setiawan et al. 2000).

The largest known population, which is on Komodo Island (311 km² (120 mi²) in size) in Komodo National Park, was previously thought to be doing well, but the subspecies' population is declining even here although the exact reasons are unclear (Imansyah et al. 2008, 2 pp.). Cockatoo poaching is believed to be effectively eliminated due to surveillance and enforcement, and loss of mature trees or forest loss due to illegal logging is negligible (Ciofi and de Boer 2004 in Prijono 2008, p. 8). Flocks of 20 to 30 birds were seen during observations between 1989 and 1995, and, in 1999, an estimated 100 birds were observed (Agista and Rubyanto 2001 and BirdLife 2001 in Prijono 2008, p. 8). In Komodo National Park, *C. s. parvula* was still relatively common prior to 2001, and was most frequently recorded in dry tropical forest (from sea level to 350 m (1,148 feet)) dominated by *T. indicus* (common name: date or tamarind) and *Sterculia foetida* (Java-olive, poon tree, or skunk tree) (Agista and Rubyanto 2001). The total population size in Komodo National Park, which spans several islands, is estimated to be approximately 150 individuals on Komodo Island (Imansyah et al. 2008, p. 2) and about 100 individuals on Rinca Island (BLI 2013c, pp. 1–2).

Cacatua sulphurea sulphurea

Information from local NGOs suggests that only about 100 to 150 individuals of this subspecies remain in the wild, and they are likely found only on Sulawesi Island. *C. s. sulphurea* was formerly widely distributed in Sulawesi (formerly called Celebes); however, since the early 1980s, this subspecies has become very rare (Prijono 2008, pp. 2–3) due to high rates of poaching (CITES 2004a, p. 2). In 2001, between 7 and 15 individuals were observed on Pasoso Island; however, the south and central parts of the island have limited suitable habitat consisting of mixed secondary forest, scrub, and dry land agricultural plots (Agista et al. 2001 in Prijono 2008, p. 5).

Now, the subspecies is believed to occur only in a small region of Sulawesi (Metz 2010, pers. comm.). Approximately 10 years ago, it was documented in Rawa Aopa Watumohai National Park (RAWNP) (Agista et al. 2001 in Prijono 2008, p. 5). Older studies suggested that, although some small populations of this subspecies may exist elsewhere, the remaining cockatoos were likely confined to two locations in southern Sulawesi: RAWNP and Buton Island and in central Sulawesi on Pasoso Island. Of these, RAWNP is clearly the most significant site. RAWNP is unique because it has seven ecosystem types: Tidal mudflats, mangrove forest, wooded savannas, hill forest, swamp forest, peat swamp, and cultivation. Therefore this is a significant site to concentrate conservation efforts. However, it is unlikely that this species occurs here currently, although a separate species, *C. galerita,* is believed to occur in this park.

Conservation Status for the Yellow-Crested Cockatoo

In 1981, *Cacatua sulphurea* (and all of its subspecies) was listed in CITES Appendix II. In 2005, it was uplisted to Appendix I, thus commercial trade is generally prohibited (see above discussion with respect to CITES for additional information). *C. sulphurea* is listed on the IUCN Redlist as Critically Endangered. It is also protected in the United States by the WBCA.

It is against Indonesian law to capture *Cacatua sulphurea* for the export trade. *C. sulphurea* is protected by the Act on the Conservation of Biological Resources and their Ecosystems (Act No. 5 of 1990), and there has been no catch quota for this species since 1994. Violation of this law by capture, possession, or trade in this species could result in up to 5 years in prison and a fine of up to 200 million rupiahs ($22,870 USD; Prijono 2008, p. 13). In 1997, *C. sulphurea* was protected within Indonesia by Forestry Ministerial Decrees No. 350/Kpts-II/1997 and No. 522/Kpts-II/1997. Although a cooperative recovery plan has been developed and put into place for *C. sulphurea,* its effectiveness is unclear as there are no clear indications that the species' situation is improving. Protections exist in several areas such as the Rawa Aopa Watumohai and Caraente National Parks (on Sulawesi), which may support approximately 100 individuals (Nandika 2006, pp. 10–11); Suaka Margasatwa Nature Reserve on Pulau Moyo; Komodo National Park; and two national parks on Sumba, Manupeu-Tanahdaru and Laiwangi-Wanggameti. The Nini Konis Santana National Park in Timor also may have a population of approximately 100 birds (Trainor 2002 in Prijono 2008, p. 9). In Timor-Leste, BirdLife International identified 16 Important Bird Areas (IBAs). Although this designation does not confer any measure of protection, some of these IBAs may be vital to this species, particularly since the majority of the IBAs are located in coastal areas (BirdLife International 2007).

For *Cacatua sulphurea abbotti,* the Indonesian Parrot Project (IPP) initiated an intensive conservation program on Solombo Kecil Island. Visits were made to junior and senior high schools to teach students about the principles of conservation, increase their awareness of the plight of this species, and foster pride in this species, emphasizing that it is their rare and unique bird. Laws to protect these birds have been passed but only in the distant "kabupatan" (district) of Madura. These decrees are out of date, but officials plan to update them and extend them locally to the islands of the Masalembu Archipelago, where they are more likely to be enacted. Officers from the local armed forces and police were taught about the protections already in place nationally and internationally, and were encouraged to conserve the birds (IPP 2008, pp. 3–4). Nest boxes and use of wardens are other conservation methods used. Konservasi Kakatua Indonesia (KKI, also known as Cockatoo Conservation Indonesia) is another NGO working to protect this species.

Only about 100 to 150 *Cacatua sulphurea sulphurea* are left in the wild, solely on Sulawesi Island. Although IPP instituted a conservation program for this subspecies as of 2011, it is still in its preliminary stages.

Evaluation of Factors Affecting the Yellow-Crested Cockatoo

We examined the factors affecting the species based on section 4(a)(1) of the ESA. Under the ESA and our implementing regulations, a species may warrant listing if it is endangered or threatened throughout all or a significant portion of its range. The yellow-crested cockatoo is highly restricted in its range, and the threats to it occur throughout its range. Therefore, we assessed the status of the species throughout its entire range. We consider all of the subspecies to be facing equivalent threats; their habitats are very similar, and they are all island endemics in the same region. Like the white cockatoo, the greatest threats to cockatoos in Indonesia and other range countries is poaching from the wild for the illegal pet trade (usually nestlings are taken), logging, and other forms of deforestation and habitat destruction. In order to be efficient, if the threats are the same threats affecting a species discussed above, we summarize these threats and refer to a discussion in the document above if it is not unique to this species or subspecies.

Factor A. The Present or Threatened Destruction, Modification, or Curtailment of the Species' Habitat or Range

Habitat destruction such as that described above for white cockatoos

also threatens *Cacatua sulphurea*. Deforestation is pervasive throughout Indonesia and Timor-Leste (Lee et al. 2013, p. 1; Laurance 2007, p. 1,544; Costin and Powell 2006, p. 2). For example, on one island inhabited by this species, trees that are preferred by this species to provide food and nest holes for *C. s. abbotti* have been eliminated due to logging. Their habitat on this island has been essentially destroyed and replaced with coconut palms. Almost total destruction of habitat flora, such as kapuk trees *(Ceiba pentandra)* and mangrove *(Avicennia apiculata)*, which are preferred by the species, has occurred (IPP 2008, p. 3). Cockatoos consume fruit of tall timber trees such as "kayu besi" *(Intsia bijuga)*, the source of "ironwood" for building, and tangkalase (scientific name unknown), a deciduous hardwood tree (Nandika 2006, p. 10). These trees are disappearing from the island. Researchers noted that cockatoo nests seemed to be safe from trappers if they were sufficiently high. The decrease in such trees likely played a vital role in the species' decline (Marsden and Jones 1997 in Snyder 2000, p. 70) in two ways: By decreasing suitable trees for nesting sites and by forcing cockatoos to locate nesting sites lower in the canopy.

This type of habitat loss affects all four subspecies. In the case of *Cacatua sulphurea abbotti*, coconut palms have been planted, displacing their favored habitat flora such as kapuk trees and mangrove. The main cause of forest loss for *C. s. citrinocristata* has been the clearing and repeated burning of vegetation to provide land for grazing and cultivation, although between 1992 and 2002, there was no evidence of additional forest loss (Cahill et al. 2006, p. 165). Removal of trees for local use occurs, but no legal commercial logging occurs on Sumba. In many areas, as a result of the shifting cultivation and annual burning for cattle grazing, the original vegetation has been replaced by fire-resistant trees, shrubs, and grasses. Where grazing and burning have been particularly intensive, the grasslands have become degraded and soil erosion is evident. A study found that, on Sumba Island, birds were absent or rare in forest areas of less than 10 km^2 (Kinnaird et al. 2003 in Prijono 2008, p. 4). Jones et al. indicated that, in order to protect the few remaining *C. s. citrinocristata*, remaining forest areas on Sumba Island must be preserved (1995, p. 49).

For *Cacatua sulphurea parvula*, the largest population is thought to be on Komodo Island in Komodo National Park. This park extends over three major islands: Komodo, Rinca and Padar, in addition to several smaller islands (*http://www.komodonationalpark.org*, accessed March 3, 2011). Its total marine and land surface area is 1,817 km^2 (701 mi^2). Due to the dryer climate, wildfires are a problem (Imansyah, unpublished, in Imansyah et al. 2008, p. 2). Researchers believe that the species' decline may be due to the lack of nesting sites.

C. sulphurea predominately resides in lowland forests at elevations between 100 to 600 m (328 to 1,968 feet) throughout these islands, with the highest densities of birds occurring in little-disturbed forests. The locations where the subspecies is thought to exist currently, as well as the most recent population estimates, may be found below under the Factor B discussion. Both legal and illegal logging have been the primary threats to the habitat of this species, with the threats occurring throughout the islands in lowland forests, decreasing available habitat (Widodo 2009, p. 81; Prijono 2008, p. 1). For example, research found that, for every 100 km^2 (38.6 mi^2) of Seram's primary forests that were selectively logged in the last 6 years, 700 birds were likely lost from the cockatoo population (Marsden 1992, p. 12). Similarly, for every 100 km^2 of locally disturbed secondary forest that were converted to plantations, 600 birds were likely lost from the cockatoo population. Even when habitat is protected, generally little undisturbed habitat is available, and it is of less suitable quality.

Cockatoos are highly impacted by selective logging of primary forests, especially because reduced-impact logging techniques are seldom applied (Lee et al. 2013, pp. 1–3; Kim et al. 2013, pp. 1–7). Selective logging, which targets mature trees, has a substantial negative impact on tree-cavity nesters such as *Cacatua sulphurea* because the species requires large trees for nesting. The abundance of cockatoos is often related to the density of its preferred nest trees (trees that would be impacted by logging).

After the primary forest is logged, land use surveys on other Indonesian islands show that the secondary forest is generally converted to other uses or logged again rather than being allowed to return to forested land. Therefore, although cockatoos may continue to inhabit secondary or degraded forests on their respective islands, their populations will be at a substantially fewer number. The trend of high loss of primary forests and degradation of secondary forests is of concern because little is known about the reproductive ecology of *Cacatua sulphurea* in the wild, including breeding success in mature forests versus secondary forests, and whether these cockatoos will survive in degraded forests in the long term. However, surveys indicate that the species is declining in the wild.

In summary, extensive logging, both legal and illegal, is a threat to *Cacatua sulphurea* habitat. In some areas, deforestation and habitat degradation are still ongoing. The populations have decreased on all islands, with no sign of improvement. Therefore, we find that the present and threatened destruction, modification, or curtailment of its habitat is a threat to the continued existence of this species throughout all of its range.

Factor B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Cacatua sulphurea is also affected by poachers who sell the species as pets for the pet trade. Not only are cockatoos desirable as pets, but this species is also very vocal and conspicuous, making it an easy target for poachers (Prijono 2008, pp. 4–5; Jepson and Ladle 2005, pp. 442, 447). Extremely heavy trade during the 1970s and 1980s was indicated as the main cause of the decline of this species (BLI 2004 in Cahill et al. 2006, p. 161; BirdLife International-IP, 1998). Between 1981 and 1992, exports from Indonesia of *C. sulphurea* were reported to have been 96,785 (UNEP–WCMC, in Cahill 2006, p. 162). In 1992, cockatoos were worth approximately $55 USD to the wholesalers who export birds to Java (Marsden 1995 in Cahill et al. 2006, p. 165).

From the data collected by ProFauna about animal markets in Java and Bali, the domestic trade in parrots is still high (ProFauna 2008, pp. 2–8). Many investigations indicate that these cockatoos could fairly easily be exported, and for some birds, their origin would be unknown, yet these birds may be listed as captive-origin (BLI 2003, p. 2).

On Sumba Island, evidence of cockatoo trapping was seen in 1996 (Kinnaird 1999), and shipments of cockatoos were confiscated on Sumba in 1998 and again in 2002 (when 32 were seized). In 2002, an investigation found that 1 collector in Waikabubak exported 52 yellow-crested cockatoos to other islands (Persulessy et al. 2003 in CITES 2004a, p. 6). In 2002, evidence was found of cockatoo trapping at Manupeu and Langgaliru, mainly in the form of snaring. Many trees with nests at Poronumbu even had ladders attached to them for nest raiding, suggesting that trapping activity was relatively high at

this site even in 2002 (Cahill et al. 2006, p. 166).

IPP, a local NGO which is actively working to protect *Cacatua sulphurea*, noted specific threats to the subspecies on Solombo Kecil Island. They found that usually nestlings, rather than adult birds, are taken. According to ProFauna, nestlings are worth 2 to 3 times more than adult cockatoos (2008, p. 8). Historically, cockatoos were trapped in large numbers by outside visitors who took them to Bali and Sumbawa Islands. Studies by social anthropologists of locals in Seram and Halmahera showed that parrot poaching accounted for 25 to 30 percent of their cash income (Badcock in litt. 1997, in Snyder et al. 2000, p. 60). Among the Halafara people of the Manusela valley on Seram, locals would catch and sell parrots to raise their bride price (Badcock in litt. 1997, in Snyder et al. 2000, p. 60). Now, with the marked decline in their numbers, the birds are even sought by government officials, who keep them as pets due to the prestige of owning such a rare bird (IPP 2008, p. 3).

Due to high demand for cockatoos and based on trade reports in 1993, the CITES Standing Committee recommended that countries suspend imports from Indonesia, pending surveys to assess the status of the species after a significant trade review (CITES 2001, AC17 Inf. 3 p. 4; CITES Notification to the Parties No. 737). Singapore continued to reexport wild-caught birds originating from Indonesia after the export suspension of Indonesia in 1994 (CITES 2001, AC17 Inf. 3 p. 4). In total, 1,229 wild-caught birds were reported to be reexported from Singapore between 1994 and 1999 (WCMC 2001 in CITES 2004a, pp. 9–10; CITES 2001, AC17 Inf. 3 p. 4). Although trade was recognized to be a problem, this species was not listed on Appendix I of CITES until 2005. Poaching for the pet trade, as with the other cockatoo species referenced in this rule, is a significant threat to this species.

Although some subspecies are monitored and are on remote islands, poaching still occurs. Poaching can be extremely lucrative, and there is relatively low risk involved in poaching. None of these subspecies is fully protected from the illegal pet trade. Based on our review, we find that overutilization, specifically poaching for the domestic pet trade, continues to be a threat to *Cacatua sulphurea* throughout its range.

Factor C. Disease or Predation

There is no evidence that disease or predation is a threat to *Cacatua sulphurea* in the wild. Our review did not find any indication that disease is a threat to *C. sulphurea;* however, we found reports of psittacine beak and feather disease (PBFD) in *C. sulphurea* when these birds were imported into the United States in the 1970s and 1980s. PBFD is a viral disease that originated in Australia and affects both wild and captive birds, causing chronic infections resulting in either feather loss or deformities of beak and feathers (Cameron 2007, p. 82). As described earlier in this document, although some cockatoo species are susceptible to this virus, we have no indication that PBFD adversely affects the *C. sulphurea* at the population level in the wild.

With respect to predation, two predators, a spotted kestrel *(Falco moluccensis)* and a white bellied sea-eagle *(Haliaeetus leucogaster),* have been observed attacking cockatoos (Prijono 2008, pp. 4–5). Although *C. sulphurea* has natural predators, to our knowledge, these predators are not having a negative impact on the species. After a review of the best scientific and commercial information, we conclude that neither disease nor predations are threats to *C. sulphurea.*

Factor D. The Inadequacy of Existing Regulatory Mechanisms

After surveys conducted in the late 1990s by the Directorate-General of Forest Protection and Nature Conservation (PHPA) and BirdLife International-Indonesia, it was determined that *Cacatua sulphurea* populations had collapsed (Snyder et al. 2000, p. 59). Prior to 1993, at which time legal trade was prohibited, a reported average of 1,600 *C. s. citrinocristata* individuals were being removed from Sumba annually, yet the 1992 population was only approximately 3,200 (Cahill et al. 2006, p. 161). This level of trade was obviously unsustainable. The population had increased, likely due to the moratorium on international trade and local protections (Cahill et al. 2006, p. 164); however, the population is declining again (BLI 2013c; Metz 2010, pers. comm.). In 1992, the Regent of West Sumba (Decree no. 147) banned trapping and transport of cockatoos. This action was followed by a similar decree in East Sumba (Decree no. 21), and in 1994, the government of Indonesia imposed a zero export quota (Cahill et al. 2006, p. 162). In 1997, this species was provided additional protection by the Forestry Ministerial Decrees No. 350/Kpts-II/1997 and No. 522/Kpts-II/1997.

According to a CITES 2004 proposal to uplist *Cacatua sulphurea* to Appendix I, the Philippines, Singapore, South Africa, and Indonesia were the main countries exporting captive-bred specimens of *Cacatua sulphurea.* In Indonesia and Singapore, there has been a "sudden turn up of captive bred specimens since 1994, the time the legal trade in wild specimens stopped" (CITES 2004, p. 5). In 2004, two captive-breeding operations of *C. sulphurea* were identified in Indonesia: PT. Bali Exotica Fauna and PT. Anak Burung Tropikana. Both of these companies were located in Bali Province (CITES 2004a, p. 5). Currently, there is one CITES-registered operation for breeding *C. sulphurea* for commercial purposes (CITES 2014, *http://cites.org/eng/common/reg/cb/summary.html,* Accessed May 20, 2014).

When the proposal to transfer the *Cacatua sulphurea* from Appendix II to Appendix I (CITES CoP13, 2–14 October, Bangkok, Thailand) was under consideration in 2004, BLI noted in their position paper that the difficulty in distinguishing captive-bred birds from wild birds was facilitating illegal capture from the wild and illegal international trading of the captured birds (BLI 2003). They pointed to examples of these birds found in markets in Indonesia (BLI 2003 p. 2).

Between 2000 and 2009, the UNEP–WCMC Trade Database indicated that 6,485 live specimens of *Cacatua sulphurea* were exported (subspecies are unknown). Nearly all of these were documented as captive-bred, but wildlife laundering is quite lucrative and does still occur (ProFauna 2010; 2008; Cantú-Guzmán et al. 2007, 121 pp.).

Between 2010 and 2013 (complete trade data was not available for 2013), the UNEP–WCMC Trade Database indicated no exports of *Cacatua sulphurea* were from Indonesia (*http://trade.cites.org,* accessed May 19, 2014). CITES regulates international trade of this species, and we have no evidence to suggest that CITES is inadequate in regulating legal trade of this species.

A 2003 IUCN review found that *Cacatua sulphurea* was readily available in Indonesian bird markets (BLI 2003, pp. 1–2). As described above for the Philippine cockatoo, poaching is relatively easy and lucrative, poverty is widespread, and local communities have little incentive or awareness to conserve their resources. Although the species occurs within a number of protected areas, and a recovery plan was initiated in 1998, poaching is still occurring (ProFauna 2008). Birds are still likely smuggled to and exported from Singapore and the Philippines (ProFauna 2008). Continued trapping and large-scale logging that are not

sufficiently regulated or mitigated by the Indonesian Government remain threats to the species. For some subspecies, there are specific local protections in place. For example, a local law for the protection of *C. s. abbotti* exists, which IPP assisted in obtaining in 2010. However, these laws are inadequate to combat the threats facing the species according to a local NGO who works on the conservation of this species (Metz 2010, pers. comm.).

With respect to the adequacy of internal government controls within Indonesia, we find that they are inadequate (refer to discussion and finding under Factor D for the white cockatoo, which faces the same threats with respect to this factor). Poaching and illegal trade of this species continue to occur. This species continues to experience population declines, and the protections in place are inadequate to protect this species. Therefore, we find that the inadequacy of regulatory mechanisms is a threat to *Cacatua sulphurea* throughout its range.

Factor E. Other Natural or Manmade Factors Affecting Its Continued Existence

Interspecific Competition

The Komodo dragon *(Varanus komodoensis)* preys upon eggs and uses nests of *Cacatua sulphurea* during the species' arboreal phase. Competition between the dragon and cockatoo has been observed in attempts to use the tree *Sterculia foetida* for nesting (Agista and Rubyanto 2001 in Prijono 2008, p. 4). Although individuals of *C. sulphurea* may be subject to occasional competition with Komodo dragons, we have no evidence that this is occurring at a level that may affect the status of *C. sulphurea* on Komodo Island as a whole.

Small and Declining Population

All four subspecies of *Cacatua sulphurea* have very limited geographic ranges and small, declining populations. Their existing populations are extremely localized, and sometimes geographically isolated from one another, leaving them vulnerable to localized extinctions from habitat modification and destruction, natural catastrophic changes to their habitat (e.g., flood scour, drought), other stochastic disturbances, and decreased fitness from reduced genetic diversity. Fewer than 1,000 to 2,000 individuals likely represent each subspecies remaining in the wild; in the case of *C. s. abbotti* and *C. s. sulphurea,* likely fewer than 100 remain of each subspecies (Metz 2010, pers. comm.) (see Table 2).

TABLE 2—YELLOW-CRESTED COCKATOO POPULATION ESTIMATES

Species	Where found and date of population estimate	Estimated number remaining in the wild
Yellow-crested cockatoo (*Cacatua sulphurea*).	Indonesia and Timor-Leste	1,500 to ~ 5,000.*
Subspecies		
C. s. abbotti	Sulawesi Strait (2010)	fewer than 30.
C. s. citrinocristata	Sulawesi Strait (2002)	565 to 2,054.
C. s. parvula	Sulawesi Strait (2000, 2009)	500 to 2,000.
	Timor (2000, 2004)	500.
C. s. sulphurea	Sulawesi Strait (2010)	100 to 150.

*Number includes all four subspecies.

Small, isolated populations of wildlife species that have gone through a reduction in population numbers can be susceptible to demographic and genetic problems (Purvis et al. 2000, p. 1949; Shaffer 1981, pp. 130–134). A small, declining population size renders a species vulnerable to any of several risks including inbreeding depression, loss of genetic variation, and accumulation of new mutations. A species' small population size, combined with its restricted range, may increase the species' vulnerability to adverse natural events and manmade activities that destroy individuals and their habitat (Holsinger 2000, pp. 64–65; Young and Clarke 2000, pp. 361–366; Primack 1998, pp. 279–308). Inbreeding can have individual or population-level consequences either by increasing the phenotypic expression (the outward appearance or observable structure, function, or behavior of a living organism) of recessive, deleterious alleles (harmful gene sequences) or by reducing the overall fitness of individuals in the population (Charlesworth and Charlesworth 1987, p. 231; Shaffer 1981, p. 131). This, in turn, compromises a species' ability to adapt genetically to changing environments (Frankham 1996, p. 1,507) and reduces overall fitness of the species, thus increasing extinction risk (Reed and Frankham 2003, pp. 233–234).

Based on the best scientific and commercial information available, we conclude that *Cacatua sulphurea's* very small and rapidly declining populations is a factor that negatively affects the species throughout its range, particularly when combined with other threats to this species.

Finding for the Yellow-Crested Cockatoo

As required by the ESA, we considered the five factors in assessing whether *Cacatua sulphurea* is endangered or threatened throughout all or a significant portion of its range. We examined the best scientific and commercial information available regarding the past, present, and future threats faced by *C. sulphurea.* We reviewed the petition, information available in our files, and other available published and unpublished information.

We analyzed the potential threats to *Cacatua sulphurea,* including habitat loss and habitat degradation, poaching for the domestic pet trade, disease and predation, and the inadequacy of regulatory controls. We found that habitat loss as a result of deforestation is a threat to *C. sulphurea,* and the subspecies are declining rangewide. This species faces immediate and significant threats, primarily from the destruction and modification of its habitats from logging (Factor A). Efforts such as reforestation and building of nest boxes may continue to improve the habitat of this species, which may subsequently increase their numbers. However, no improvement has been seen yet as a result of conservation efforts (Metz 2010, pers. comm.). We conclude that the present or threatened destruction, modification, or curtailment of its habitat or range is a significant threat to *C. sulphurea.*

We found information that poaching for the domestic pet trade is also a

significant threat to the species. Illegal poaching of the cockatoo for the pet trade is still common, despite existing laws, education, and public awareness campaigns. Pet birds are an important part of Indonesian culture, with large numbers of wild-caught parrots traded domestically and internationally. Trappers remain active, and wild-caught birds are openly sold in Asian markets (Prijono 2008, p. 18). Efforts to curtail illegal trade are hampered by Indonesia's large coastline and enforcement officials with limited resources and knowledge. The continuing illegal trade of the cockatoo is a threat to the survival of the species. Therefore, we find overutilization for commercial, recreational, scientific, or educational purposes (Factor B) is a threat to *Cacatua sulphurea* throughout its range.

We found no evidence that diseases significantly affect *Cacatua sulphurea* in the wild. Other avian species may be susceptible to certain diseases but we have no evidence that disease occurs to an extent that it is a threat to this species. Predation was not found to affect *C. sulphurea* populations; however, we will continue to monitor this factor. Based on the best available information, we conclude that neither disease nor predation (Factor C) is a threat to the species throughout its range.

Although Indonesia has a good legal framework to manage wildlife and their habitats, implementation of its laws and regulatory mechanisms has been inadequate to address the threats to *Cacatua sulphurea*. Logging laws and policies are frequently ignored and rarely enforced, and illegal logging is rampant, even occurring in national parks and nature reserves (Prijono 2008). The illegal trade of this species continues to occur. The current range of *C. sulphurea* is much smaller than its historical range. The population estimates for each subspecies range from 30 to 2,054 individuals. Threats to *C. sulphurea* continue, and based on the best available information, the population trends are declining. Thus, we conclude that inadequate regulatory mechanisms are a threat to *C. sulphurea* throughout its range.

Finally, we conclude that effects that typically impact small, declining populations negatively affect this species, particularly when combined with the other threats affecting the species (Factor E).

Because of the uniformity of the threats throughout its range, we find that there are no other listable entities that may warrant a different determination of status. Despite the conservation measures in place, this species faces severe threats, and the population trend for this species continues to decline. Based on our review of the best available scientific and commercial information pertaining to the five factors, we find that *Cacatua sulphurea* is in danger of extinction (endangered) throughout all of its range. Therefore, we are listing *C. sulphurea* as endangered under the ESA.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Act include recognition, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing results in public awareness, and encourages and results in conservation actions by Federal and State governments, private agencies and interest groups, and individuals.

The ESA and its implementing regulations set forth a series of general prohibitions and exceptions that apply to all endangered and threatened wildlife. These prohibitions, at 50 CFR 17.21 and 17.31, in part, make it illegal for any person subject to the jurisdiction of the United States to "take" (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or to attempt any of these) within the United States or upon the high seas; import or export; deliver, receive, carry, transport, or ship in interstate commerce in the course of commercial activity; or sell or offer for sale in interstate or foreign commerce any endangered wildlife species. It also is illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken in violation of the ESA. Certain exceptions apply to agents of the Service and State conservation agencies.

Permits may be issued to carry out otherwise prohibited activities involving endangered and threatened wildlife species under certain circumstances. Regulations governing permits for endangered species are codified at 50 CFR 17.22. With regard to endangered wildlife, a permit may be issued for the following purposes: For scientific purposes, to enhance the propagation or survival of the species, and for incidental take in connection with otherwise lawful activities. For threatened species, a permit may be issued for the same activities, as well as zoological exhibition, education, and special purposes consistent with the ESA.

Special Rule

Section 4(d) of the ESA states that the Secretary of the Interior (Secretary) may, by regulation, extend to threatened species prohibitions provided for endangered species under section 9 of the ESA. Our implementing regulations for threatened wildlife in 50 CFR 17.31 incorporate the section 9 prohibitions for endangered wildlife, except when a special rule is promulgated. For threatened species, section 4(d) of the ESA gives the Secretary discretion to specify the ESA prohibitions and any exceptions to those prohibitions that are appropriate for the species. A special rule allows us to include provisions that are tailored to the specific conservation needs of the threatened species and which may be more or less restrictive than the general provisions at 50 CFR 17.31.

The finalized special rule for the white cockatoo, in most instances, adopts the existing conservation regulatory requirements of CITES and the WBCA as the appropriate regulatory provisions for the import and export of certain captive white cockatoos. It would also allow interstate commerce. The purpose of the WBCA is to promote the conservation of exotic birds and to ensure that international trade involving the United States does not harm exotic birds. The white cockatoo is also listed in Appendix II of CITES, a treaty that contributes to the conservation of the species by monitoring international trade and ensuring that trade in the species is not detrimental to its survival (see Conservation Status for the white cockatoo). However, import and export of birds taken from the wild after the date this species is listed under the ESA, take, and foreign commerce would need to meet the requirements of 50 CFR 17.31 and 17.32. "Take" under the ESA includes both harm and harassment. When applied to captive wildlife, take does not include generally accepted animal husbandry practices, breeding procedures, or provisions of veterinary care for confining, tranquilizing, or anesthetizing, when such practices, procedures, or provisions are not likely to result in injury to the wildlife. When conducting an activity that could take or incidentally take wildlife, a permit under the ESA is required.

On March 12, 2013, we published in the **Federal Register** (78 FR 15624) a final rule listing the yellow-billed parrot with a special rule under section 4(d) of the Act, and correcting the salmon-crested cockatoo special rule under section 4(d) of the Act. In the preamble of that rule, we explained that we were adopting for yellow-billed parrot and correcting for salmon-crested cockatoo a provision similar to the one we proposed in the 4(d) rule for the white cockatoo, which would allow certain

acts in interstate commerce for yellow-billed parrot and salmon-crested cockatoos that may be conducted without a threatened species permit under 50 CFR 17.32. Consistent with our intent in proposing the exceptions contained in the 4(d) rule for the white cockatoo, we are amending the regulations found at 50 CFR 17.41(c) to include the white cockatoo among the species in the parrot family to which 50 CFR 17.41(c) applies, including the provision that certain acts in interstate commerce of white cockatoos may proceed without a permit under the Act. This final special rule allows import and export of certain white cockatoos and interstate commerce of this species without a permit under the ESA as explained below.

Import and export. This final special rule applies to all commercial and noncommercial international shipments of live white cockatoos and parts and products, including the import and export of personal pets and research samples. It allows a person to import or export a specimen that was held in captivity prior to the date this species is listed under the ESA or that was captive-bred, provided the import is authorized under CITES and the WBCA and export is authorized under CITES. The terms "captive-bred" and "captivity" used in the final special rule are defined in the regulations at 50 CFR 17.3 and refer to wildlife produced in a controlled environment that is intensively manipulated by man from parents that mated or otherwise transferred gametes in captivity. The final special rule applies to birds captive-bred in the United States and abroad. Import and export of specimens that have been held in captivity prior to the date this species is listed under the ESA or that were captive-bred would be allowed without a permit under the ESA provided the provisions of CITES and the WBCA are met. With respect to captive-bred specimens, the CITES export permits would need to indicate that the specimen was not taken from the wild by using a source code on the face of the permit other than U (unknown) or W (taken from the wild). If the specimen was taken from the wild prior to the date this species is listed under the ESA, the importer or exporter would need to demonstrate that the cockatoo was taken from the wild prior to that date. Under the special rule, a person would need to provide records, receipts, or other documents when applying for permits under CITES and the WBCA to show the specimen was held in captivity prior to the date this species is listed under the ESA.

We assessed the conservation needs of the white cockatoo in light of the broad protections provided to the species under the WBCA and CITES. The best available commercial data indicate that the current threat to the white cockatoo stems from illegal trade in the domestic and international markets of Indonesia and surrounding countries. Thus, the general prohibitions on import and export contained in 50 CFR 17.31, which extend only within the jurisdiction of the United States, would not regulate such activities. Accordingly we find that the import and export requirements of the final special rule provide the necessary and advisable conservation measures that are needed for this species.

Interstate commerce. Under the special rule, a person may deliver, receive, carry, transport, or ship a white cockatoo in interstate commerce in the course of a commercial activity, or sell or offer to sell in interstate commerce a white cockatoo without a permit under the Act. At the same time, the prohibitions on take under 50 CFR 17.31 apply under this special rule, and any interstate commerce activities that could incidentally take white cockatoos or otherwise prohibited acts in foreign commerce require a permit under 50 CFR 17.32.

Although we do not have current data, we believe a large number of white cockatoos exist in the United States. ISIS (International Species Information System) information as of 2008 indicated that 252 white cockatoos were held in U.S. zoos (ISIS 2008, p. 4). This number is an underestimate, as some zoos do not enter data into the ISIS database. We have no information to suggest that interstate commerce activities are associated with threats to the white cockatoo or would negatively affect any efforts aimed at the recovery of wild populations of the species. Therefore, because acts in interstate commerce within the United States have not been found to threaten the white cockatoo, the species is otherwise protected in the course of interstate commercial activities under the incidental take provisions and foreign commerce provisions contained in 50 CFR 17.31, and international trade of this species is regulated under CITES and the WBCA, we find this special rule adopts appropriate prohibitions from section 9(a)(1) of the Act and contains all the prohibitions and authorizations necessary and advisable for the conservation of the white cockatoo.

Pre-Act Exemptions. As stated previously, under the Special Rule, import and export of birds taken from the wild after the date this species is listed under the ESA, take, and foreign commerce would still need to meet the requirements of 50 CFR 17.31 and 17.32. However, under the terms of section 9(b)(1) of the Act, white cockatoos held in captivity or a controlled environment prior to the date the species is listed under the Act would be considered "pre-Act" and would not require permits for take or foreign commerce unless they are subsequently held or used in the course of a "commercial activity." For example, if a taking by the owner of a pet bird occurred and that pet bird was (1) held in captivity prior to the listing date and (2) not subsequently held or used in the course of a commercial activity, then that taking would be exempt and not a violation of the ESA under the terms of section 9(b)(1). Section 3(2) of the Act and our regulations at 50 CFR 17.3 define "commercial activity" as all activities of actual or intended transfer of wildlife or plants from one person to another person in the pursuit of gain or profit, including, but not limited to, the buying or selling of commodities and activities conducted for the purpose of facilitating such buying and selling. For example, when a specimen is sold or offered for sale, it loses its pre-Act status. The Act also provides, however, that exhibition of commodities by museums or similar cultural or historical organizations is not included in the ESA's definition of "commercial activity." For example, when a commodity containing a white cockatoo feather and acquired by a museum prior to the listing date is sold in foreign commerce for exhibition by a second museum after the listing date, it would not lose its pre-Act status (provided it was not held or used in the course of a commercial activity by a non-qualifying entity in the time between listing and the transaction between the two museums). You may obtain information about permits or other authorizations to carry out otherwise prohibited activities by contacting the U.S. Fish and Wildlife Service, Division of Management Authority, Branch of Permits, 4401 N. Fairfax Drive, Room 212, Arlington, VA 22203; telephone: (703) 358–2104 or (toll free) (800) 358–2104; facsimile: (703) 358–2281; email: *managementauthority@fws.gov;* Web site: *http://www.fws.gov/international/index.html.*

Section 7(a) of the Act, as amended, and as implemented by regulations at 50 CFR part 402, requires Federal agencies to evaluate their actions within the United States or on the high seas with respect to any species that is proposed or listed as endangered or threatened

and with respect to its critical habitat, if any is being designated. However, given that these species are not native to the United States, we are not designating critical habitat for these species under section 4 of the Act.

Required Determinations

National Environmental Policy Act (42 U.S.C. 4321 et seq.)

We have determined that we do not need to prepare an environmental assessment, as defined under the authority of the National Environmental Policy Act of 1969, in connection with regulations adopted under section 4(a) of the Act. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

References Cited

A list of all references cited in this document is available at *http://www.regulations.gov*, Docket No. FWS–R9–ES–2010–0099, or upon request from the U.S. Fish and Wildlife Service, Ecological Services Program, Branch of Foreign Species (see **FOR FURTHER INFORMATION CONTACT**).

Authors

The primary authors of this rule are staff members of the Branch of Foreign Species, Ecological Services Program, U.S. Fish and Wildlife Service.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Regulation Promulgation

Accordingly, we are amending part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

■ 1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 1531–1544; 4201–4245; unless otherwise noted.

■ 2. Amend § 17.11(h) by adding new entries for "Cockatoo, Philippine", "Cockatoo, white", and Cockatoo, yellow-crested" in alphabetical order under Birds to the List of Endangered and Threatened Wildlife, as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	*	*	*		*
BIRDS							
*	*	*	*	*	*		*
Cockatoo, Philippine	*Cacatua haematuropygia.*	Philippines	Entire	E	786	NA	NA
*	*	*	*	*	*		*
Cockatoo, white	*Cacatua alba*	Indonesia	Entire	T	786	NA	17.41(c)
Cockatoo, yellow-crested.	*Cacatua sulphurea*	Indonesia and Timor-Leste (East Timor).	Entire	E	786	NA	NA
*	*	*	*	*	*		*

■ 3. Amend § 17.41 by revising paragraph (c) introductory text and paragraph (c)(2)(ii) introductory text, and adding paragraph (c)(2)(ii)(C), to read as follows:

§ 17.41 Special rules—birds.

* * * * *

(c) The following species in the parrot family: Salmon-crested cockatoo *(Cacatua moluccensis)*, yellow-billed parrot *(Amazona collaria)*, and white cockatoo *(Cacatua alba)*.

* * * * *

(2) * * *

(ii) *Specimens held in captivity prior to certain dates:* You must provide documentation to demonstrate that the specimen was held in captivity prior to the applicable date specified in paragraphs (c)(2)(ii)(A), (B), or (C) of this section. Such documentation may include copies of receipts, accession or veterinary records, CITES documents, or wildlife declaration forms, which must be dated prior to the specified dates.

* * * * *

(C) *For white cockatoos:* July 24, 2014 (the date this species was listed under the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*)).

* * * * *

Dated: June 6, 2014.

Stephen Guertin,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 2014–14624 Filed 6–23–14; 8:45 am]

BILLING CODE 4310–55–P

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Part IV

The President

Federal Register
Vol. 79, No. 121
Tuesday, June 24, 2014

Presidential Documents

Title 3—

The President

Memorandum of June 20, 2014

Creating a Federal Strategy To Promote the Health of Honey Bees and Other Pollinators

Memorandum for Heads of Executive Departments and Agencies

Pollinators contribute substantially to the economy of the United States and are vital to keeping fruits, nuts, and vegetables in our diets. Honey bee pollination alone adds more than $15 billion in value to agricultural crops each year in the United States. Over the past few decades, there has been a significant loss of pollinators, including honey bees, native bees, birds, bats, and butterflies, from the environment. The problem is serious and requires immediate attention to ensure the sustainability of our food production systems, avoid additional economic impact on the agricultural sector, and protect the health of the environment.

Pollinator losses have been severe. The number of migrating Monarch butterflies sank to the lowest recorded population level in 2013–14, and there is an imminent risk of failed migration. The continued loss of commercial honey bee colonies poses a threat to the economic stability of commercial beekeeping and pollination operations in the United States, which could have profound implications for agriculture and food. Severe yearly declines create concern that bee colony losses could reach a point from which the commercial pollination industry would not be able to adequately recover. The loss of native bees, which also play a key role in pollination of crops, is much less studied, but many native bee species are believed to be in decline. Scientists believe that bee losses are likely caused by a combination of stressors, including poor bee nutrition, loss of forage lands, parasites, pathogens, lack of genetic diversity, and exposure to pesticides.

Given the breadth, severity, and persistence of pollinator losses, it is critical to expand Federal efforts and take new steps to reverse pollinator losses and help restore populations to healthy levels. These steps should include the development of new public-private partnerships and increased citizen engagement. Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

Section 1. *Establishing the Pollinator Health Task Force.* There is hereby established the Pollinator Health Task Force (Task Force), to be co-chaired by the Secretary of Agriculture and the Administrator of the Environmental Protection Agency. In addition to the Co-Chairs, the Task Force shall also include the heads, or their designated representatives, from:

(a) the Department of State;

(b) the Department of Defense;

(c) the Department of the Interior;

(d) the Department of Housing and Urban Development;

(e) the Department of Transportation;

(f) the Department of Energy;

(g) the Department of Education;

(h) the Council on Environmental Quality;

(i) the Domestic Policy Council;

(j) the General Services Administration;

(k) the National Science Foundation;

(l) the National Security Council Staff;

(m) the Office of Management and Budget;

(n) the Office of Science and Technology Policy; and

(o) such executive departments, agencies, and offices as the Co-Chairs may designate.

Sec. 2. *Mission and Function of the Task Force.* Within 180 days of the date of this memorandum, the Task Force shall develop a National Pollinator Health Strategy (Strategy), which shall include explicit goals, milestones, and metrics to measure progress. The Strategy shall include the following components:

(a) *Pollinator Research Action Plan.* The Strategy shall include an Action Plan (Plan) to focus Federal efforts on understanding, preventing, and recovering from pollinator losses. The Plan shall be informed by research on relevant topics and include:

(i) studies of the health of managed honey bees and native bees, including longitudinal studies, to determine the relative contributions of, and mitigation strategies for, different stressors leading to species declines and colony collapse disorder, including exposure to pesticides, poor nutrition, parasites and other pests, toxins, loss of habitat and reduced natural forage, pathogens, and unsustainable management practices;

(ii) plans for expanded collection and sharing of data related to pollinator losses, technologies for continuous monitoring of honey bee hive health, and use of public-private partnerships, as appropriate, to provide information on the status and trends of managed hive losses;

(iii) assessments of the status of native pollinators, including the Monarch butterfly and bees, and modeling of native pollinator populations and habitats;

(iv) strategies for developing affordable seed mixes, including native pollinator-friendly plants, for maintenance of honey bees and other pollinators, and guidelines for and evaluations of the effectiveness of using pollinator-friendly seed mixes for restoration and reclamation projects;

(v) identification of existing and new methods and best practices to reduce pollinator exposure to pesticides, and new cost-effective ways to control bee pests and diseases; and

(vi) strategies for targeting resources toward areas of high risk and restoration potential and prioritizing plans for restoration of pollinator habitat, based on those areas that will yield the greatest expected net benefits.

(b) *Public Education Plan.* The Strategy shall include plans for expanding and coordinating public education programs outlining steps individuals and businesses can take to help address the loss of pollinators. It shall also include recommendations for a coordinated public education campaign aimed at individuals, corporations, small businesses, schools, libraries, and museums to significantly increase public awareness of the importance of pollinators and the steps that can be taken to protect them.

(c) *Public-Private Partnerships.* The Strategy shall include recommendations for developing public-private partnerships to build on Federal efforts to encourage the protection of pollinators and increase the quality and amount of habitat and forage for pollinators. In developing this part of the Strategy, the Task Force shall consult with external stakeholders, including State, tribal, and local governments, farmers, corporations, and non-governmental organizations.

(d) Task Force member agencies shall report regularly to the Task Force on their efforts to implement section 3 of this memorandum.

Sec. 3. *Increasing and Improving Pollinator Habitat.* Unless otherwise specified, within 180 days of the date of this memorandum:

(a) Task Force member agencies shall develop and provide to the Task Force plans to enhance pollinator habitat, and subsequently implement, as appropriate, such plans on their managed lands and facilities, consistent with their missions and public safety. These plans may include: facility landscaping, including easements; land management; policies with respect to road and other rights-of-way; educational gardens; use of integrated vegetation and pest management; increased native vegetation; and application of pollinator-friendly best management practices and seed mixes. Task Force member agencies shall also review any new or renewing land management contracts and grants for the opportunity to include requirements for enhancing pollinator habitat.

(b) Task Force member agencies shall evaluate permit and management practices on power line, pipeline, utility, and other rights-of-way and easements, and, consistent with applicable law, make any necessary and appropriate changes to enhance pollinator habitat on Federal lands through the use of integrated vegetation and pest management and pollinator-friendly best management practices, and by supplementing existing agreements and memoranda of understanding with rights-of-way holders, where appropriate, to establish and improve pollinator habitat.

(c) Task Force member agencies shall incorporate pollinator health as a component of all future restoration and reclamation projects, as appropriate, including all annual restoration plans.

(d) The Council on Environmental Quality and the General Services Administration shall, within 90 days of the date of this memorandum, revise their respective guidance documents for designed landscapes and public buildings to incorporate, as appropriate, pollinator-friendly practices into site landscape performance requirements to create and maintain high quality habitats for pollinators. Future landscaping projects at all Federal facilities shall, to the maximum extent appropriate, use plants beneficial to pollinators.

(e) The Departments of Agriculture and the Interior shall, within 90 days of the date of this memorandum, develop best management practices for executive departments and agencies to enhance pollinator habitat on Federal lands.

(f) The Departments of Agriculture and the Interior shall establish a reserve of native seed mixes, including pollinator-friendly plants, for use on post-fire rehabilitation projects and other restoration activities.

(g) The Department of Agriculture shall, as appropriate and consistent with applicable law, substantially increase both the acreage and forage value of pollinator habitat in the Department's conservation programs, including the Conservation Reserve Program, and provide technical assistance, through collaboration with the land-grant university-based cooperative extension services, to executive departments and agencies, State, local, and tribal governments, and other entities and individuals, including farmers and ranchers, in planting the most suitable pollinator-friendly habitats.

(h) The Department of the Interior shall assist States and State wildlife organizations, as appropriate, in identifying and implementing projects to conserve pollinators at risk of endangerment and further pollinator conservation through the revision and implementation of individual State Wildlife Action Plans. The Department of the Interior shall, upon request, provide technical support for these efforts, and keep the Task Force apprised of such collaborations.

(i) The Department of Transportation shall evaluate its current guidance for grantees and informational resources to identify opportunities to increase pollinator habitat along roadways and implement improvements, as appropriate. The Department of Transportation shall work with State Departments of Transportation and transportation associations to promote pollinator-friendly practices and corridors. The Department of Transportation shall

evaluate opportunities to make railways, pipelines, and transportation facilities that are privately owned and operated aware of the need to increase pollinator habitat.

(j) The Department of Defense shall, consistent with law and the availability of appropriations, support habitat restoration projects for pollinators, and shall direct military service installations to use, when possible, pollinator-friendly native landscaping and minimize use of pesticides harmful to pollinators through integrated vegetation and pest management practices.

(k) The Army Corps of Engineers shall incorporate conservation practices for pollinator habitat improvement on the 12 million acres of lands and waters at resource development projects across the country, as appropriate.

(l) The Environmental Protection Agency shall assess the effect of pesticides, including neonicotinoids, on bee and other pollinator health and take action, as appropriate, to protect pollinators; engage State and tribal environmental, agricultural, and wildlife agencies in the development of State and tribal pollinator protection plans; encourage the incorporation of pollinator protection and habitat planting activities into green infrastructure and Superfund projects; and expedite review of registration applications for new products targeting pests harmful to pollinators.

(m) Executive departments and agencies shall, as appropriate, take immediate measures to support pollinators during the 2014 growing season and thereafter. These measures may include planting pollinator-friendly vegetation and increasing flower diversity in plantings, limiting mowing practices, and avoiding the use of pesticides in sensitive pollinator habitats through integrated vegetation and pest management practices.

Sec. 4. *General Provisions.* (a) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to any agency, or the head thereof; or

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

(c) Nothing in this memorandum shall be construed to require the disclosure of confidential business information or trade secrets, classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security or public safety.

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

(e) The Secretary of Agriculture is hereby authorized and directed to publish this memorandum in the **Federal Register.**

THE WHITE HOUSE,
Washington, June 20, 2014

[FR Doc. 2014–14946
Filed 6–23–14; 11:15 am]
Billing code 3410–10

Presidential Documents

Notice of June 20, 2014

Continuation of the National Emergency With Respect to North Korea

On June 26, 2008, by Executive Order (E.O.) 13466, the President declared a national emergency with respect to North Korea pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the existence and risk of proliferation of weapons-usable fissile material on the Korean Peninsula. The President also found that it was necessary to maintain certain restrictions with respect to North Korea that would otherwise have been lifted pursuant to Proclamation 8271 of June 26, 2008, which terminated the exercise of authorities under the Trading With the Enemy Act (50 U.S.C. App. 1–44) with respect to North Korea.

On August 30, 2010, I signed E.O. 13551, which expanded the scope of the national emergency declared in E.O. 13466 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the continued actions and policies of the Government of North Korea, manifested by its unprovoked attack that resulted in the sinking of the Republic of Korea Navy ship *Cheonan* and the deaths of 46 sailors in March 2010; its announced test of a nuclear device and its missile launches in 2009; its actions in violation of United Nations Security Council (UNSC) Resolutions 1718 and 1874, including the procurement of luxury goods; and its illicit and deceptive activities in international markets through which it obtains financial and other support, including money laundering, the counterfeiting of goods and currency, bulk cash smuggling, and narcotics trafficking, which destabilize the Korean Peninsula and imperil U.S. Armed Forces, allies, and trading partners in the region.

On April 18, 2011, I signed E.O. 13570 to take additional steps to address the national emergency declared in E.O. 13466 and expanded in E.O. 13551 that ensure the implementation of the import restrictions contained in UNSC Resolutions 1718 and 1874 and complement the import restrictions provided for in the Arms Export Control Act (22 U.S.C. 2751 *et seq.*).

The existence and risk of proliferation of weapons-usable fissile material on the Korean Peninsula and the actions and policies of the Government of North Korea continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in E.O. 13466, expanded in scope in E.O. 13551, and addressed further in E.O. 13570, and the measures taken to deal with that national emergency, must continue in effect beyond June 26, 2014. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to North Korea declared in E.O. 13466.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

THE WHITE HOUSE,
June 20, 2014.

[FR Doc. 2014–14947
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