

benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been determined to be not significant for the purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This rule does not contain any collections of information.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 *et seq.*, generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to the notice and comment rulemaking requirements under the Administrative Procedure Act (5 U.S.C. 553) or any other statute. Under section 605(b) of the RFA, however, if the head of an agency certifies that a rule will not have a significant economic impact on a substantial number of small entities, the statute does not require the agency to prepare a regulatory flexibility analysis. Pursuant to section 605(b), the Chief Counsel for Regulation, Department of Commerce, certified to the Chief Counsel for Advocacy, Small Business Administration that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

#### Number of Small Entities

The Bureau of Industry and Security (BIS) does not collect data on the size of entities that apply for and are issued export licenses. Although BIS is unable to estimate the exact number of small entities that would be affected by this rule, it acknowledges that this rule would affect some unknown number.

#### Economic Impact

BIS believes that this proposed rule will not have a significant economic impact because exporters are already using other provisions of the EAR to participate in IMMEX. Currently, exporters participating in IMMEX are using TMP for exports of a one-year duration. If the item is to remain in Mexico longer than one year, exporters are required to either use another license exception or apply for a license that will address a specific time limit. This proposed rule merely extends the eligibility period for TMP to four years to complement the lengthy IMMEX time limit which could be 18 months or more, depending on circumstances. Extending the time limit of TMP to four years provides exporters flexibility in complying with the EAR and allows them to take fuller advantage of the privileges granted by IMMEX. While such a provision should reduce the paperwork burden to exporters, BIS does not believe increasing the time limit will lead to a significant increase in exports to Mexico. Rather, this proposed rule is consistent with the principle of the EAR in easing the unnecessary regulatory burden to exporters.

#### List of Subjects in 15 CFR Parts 740

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

Accordingly, 15 CFR part 740 of the EAR (15 CFR parts 730–774) is proposed to be amended as follows:

#### PART 740—[AMENDED]

- 1. The authority citation for part 740 continues to read as follows:

**Authority:** Authority: 50 U.S.C. 4601 *et seq.*; 50 U.S.C. 1701 *et seq.*; 22 U.S.C. 7201 *et seq.*; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

- 2. Section 740.9 is amended by revising paragraphs (a)(8) and introductory paragraph (a)(14) to read as follows:

#### § 740.9 Temporary imports, exports, reexports, and transfers (in-country) (TMP).

(a) \* \* \*

(8) *Assembly in Mexico.* Commodities may be exported to Mexico under Customs entries that require return to the United States after processing, assembly, or incorporation into end products by companies, factories, or facilities participating in Mexico's in-bond industrialization program (IMMEX) under this paragraph (a)(8), provided that all resulting end-products

(or the commodities themselves) are returned to the United States as soon as practicable but no later than four years after the date of export or reexport.

\* \* \* \* \*

(14) *Return or disposal of items.* With the exception of items described in paragraphs (a)(8) and (11) of this section, all items exported, reexported, or transferred (in-country) under this section must, if not consumed or destroyed in the normal course of authorized temporary use abroad, be returned to the United States or other country from which the items were so transferred as soon as practicable but no later than one year after the date of export, reexport, or transfer (in-country). Items not returned shall be disposed of or retained in one of the following ways:

\* \* \* \* \*

Kevin J. Wolf,

Assistant Secretary for Export Administration.

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Chapter IX

[Docket No. FR–5650–N–13]

#### Native American Housing Assistance and Self-Determination Act of 1996: Negotiated Rulemaking Committee Ninth Meeting

**AGENCY:** Office of Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Notice of meeting of negotiated rulemaking committee.

**SUMMARY:** This notice announces the ninth meeting of the Indian Housing Block Grant (IHBG) negotiated rulemaking committee.

**DATES:** The ninth meeting is scheduled for Tuesday, September 20, 2016, and Wednesday, September 21, 2016. On each day, the session will begin at approximately 8:30 a.m., and adjourn at approximately 5:30 p.m.

**ADDRESSES:** The meeting is scheduled to take place at the Sheraton Midwest City Hotel at the Reed Conference Center, 5750 Will Rogers Rd, Midwest City, OK, 73110.

**FOR FURTHER INFORMATION CONTACT:** Heidi Frechette, Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street SW., Room 4126, Washington, DC 20410, telephone number 202–401–7914

(this is not a toll-free number). Hearing- or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Relay Service at 1-800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Native American Housing and Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) (NAHASDA) changed the way that housing assistance is provided to Native Americans. NAHASDA eliminated several separate assistance programs and replaced them with a single block grant program, known as the Indian Housing Block Grant (IHBG) program. The regulations governing the IHBG formula allocation are codified in subpart D of part 1000 of HUD's regulations in title 24 of the Code of Federal Regulations. In accordance with section 106 of NAHASDA, HUD developed the regulations with active tribal participation using the procedures of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561-570).

Under the IHBG program, HUD makes assistance available to eligible Indian tribes for affordable housing activities. The amount of assistance made available to each Indian tribe is determined using a formula that was developed as part of the NAHASDA negotiated process. Based on the amount of funding appropriated for the IHBG program, HUD calculates the annual grant for each Indian tribe and provides this information to the Indian tribes. An Indian Housing Plan for the Indian tribe is then submitted to HUD. If the Indian Housing Plan is found to be in compliance with statutory and regulatory requirements, the grant is made.

On June 5, 2013, HUD announced in the **Federal Register** the list of proposed members for the negotiated rulemaking committee, and requested additional public comment on the proposed membership.

The first eight meetings of the negotiated rulemaking committee were held on the following dates:

- August 27, 2013, and August 28, 2013;
- Tuesday, September 17, 2013, Wednesday, September 18, 2013, and Thursday, September 19, 2013;
- Wednesday, April 23, 2014, Thursday, April 24, 2014, and Friday, April 25, 2014;
- Wednesday, June 11, 2014, Thursday, June 12, 2014, and Friday, June 13, 2014;
- Tuesday, July 29, 2014, Wednesday, July 30, 2014, and Thursday, July 31, 2014;

- Tuesday, August 26, 2014, Wednesday, August 27, 2014, and Thursday, August 28, 2014;
- Tuesday, August 11, 2015, Wednesday, August 12, 2015, and Thursday, August 13, 2015; and
- Tuesday, January 26, 2016, and Wednesday, January 27, 2016.

##### II. Ninth Committee Meeting

The ninth meeting will be held on Tuesday, September 20, 2016, and Wednesday, September 21, 2016. On each day, the session will begin at approximately 8:30 a.m., and adjourn at approximately 5:30 p.m. The meeting is scheduled to take place at the Sheraton Midwest City Hotel at the Reed Conference Center, 5750 Will Rogers Rd, Midwest City, OK, 73110.

The meetings will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may make statements during the meetings, to the extent time permits, and file written statements with the committee for its consideration. Written statements should be submitted to the address listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

Dated: August 17, 2016.

**Lourdes Castro Ramirez,**

*Principal Deputy Assistant Secretary for Public and Indian Housing.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2016-0818]

RIN 1625-AA00

#### Safety Zone; Columbia River, Sand Island, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a temporary safety zone for navigable waters of the Columbia River within a 500-yard radius of the small boat "Nessy," while in the area of Sand Island, near Chinook, WA, and all involved associated vessels in support of Double-Crested Cormorant removal operations conducted by the U.S. Army Corps of Engineers and U.S. Department of Agriculture Wildlife Services. This proposed rulemaking would prohibit persons and vessels from being in the

safety zone unless authorized by the Captain of the Port Columbia River, or a designated representative. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before September 12, 2016.

**ADDRESSES:** You may submit comments identified by docket number USCG-2016-0818 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Mr. Kenneth Lawrenson, Waterways Management Division, Marine Safety Unit Portland, U.S. Coast Guard; telephone 503-240-9319, email [msupdxwmm@uscg.mil](mailto:msupdxwmm@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

##### II. Background, Purpose, and Legal Basis

The U.S. Army Corps of Engineers and U.S. Department of Agriculture Wildlife Services notified the Coast Guard that they intend to conduct federally permitted removal operations of the Double-Crested Cormorant starting September 21, 2016. This operation will involve the use of firearms and live ammunition. The Captain of the Port Sector Columbia River (COTP) has determined that potential hazards associated with the removal operations will be a safety concern for anyone within a 500-yard radius of the small boat "Nessy," and all involved associated support vessel(s). The safety zone is needed to protect personnel and vessels in the navigable waters within the safety zone.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters before, during, and after the scheduled operations. The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1231.

##### III. Discussion of Proposed Rule

The COTP proposes to establish a safety zone regulation from September 21, 2016, through October 21, 2016. The safety zone will cover all navigable