

requirement is provided in this subpart, a legend describing the basis for the exemption shall be made on the first page of the bill of lading, air waybill, or other commercial loading document, and on the carrier's outbound manifest. The exemption legend shall reference

the number of the section or provision in this part where the particular exemption is provided (see appendix B of this part).

■ 9. Revise appendix B to read as follows:

**Appendix B to Part 30—AES Filing Citation, Exemption and Exclusion Legends**

- I. Proof of Filing Citation ..... AES ITN  
Example: AES X20170101987654
- II. Postdeparture Citation—USPPI, USPPI is filing the EEI ..... AESPOST USPPI EIN Date of Export (mm/dd/yyyy)  
Example: AESPOST 12345678912 01/01/2017
- III. Postdeparture Citation—Agent, Agent is filing the EEI ..... AESPOST USPPI EIN—Filer ID Date of Export (mm/dd/yyyy)  
Example: AESPOST 12345678912—987654321 01/01/2017
- IV. AES downtime Filing Citation—Use only when AES or AES Direct is unavailable. AESDOWN Filer ID Date of Export (mm/dd/yyyy)  
Example: AESDOWN 123456789 01/01/2017
- V. Exemption for Shipments to Canada ..... NOEEI § 30.36
- VI. Exemption for Low-Value Shipments ..... NOEEI § 30.37(a)
- VII. Miscellaneous Exemption Statements are found in 15 CFR part 30, subpart D, § 30.37(b) through (y). NOEEI § 30.37 (site corresponding alphabet)
- VIII. Special Exemption for Shipments to the U.S. Armed Forces ..... NOEEI § 30.39
- IX. Special Exemptions for Certain Shipments to U.S. Government Agencies and Employees (Exemption Statements are found in 15 CFR part 30, subpart D, § 30.40(a) through (c). NOEEI § 30.40 (site corresponding alphabet)
- X. Split Shipments Split Shipments should be referenced as such on the manifest in accordance with provisions contained in § 30.28, Split Shipments. The notation should be easily identifiable on the manifest. It is preferable to include a reference to a split shipment in the exemption statements cited in the example, the notation SS should be included at the end of the appropriate exemption statement. AES ITN SS  
Example: AES X20170101987654 SS

Dated: September 14, 2017.

**Ron S. Jarmin,**

*Associate Director for Economic Programs, performing the non-exclusive functions and duties of the Director, Bureau of the Census.*

[FR Doc. 2017-20060 Filed 9-19-17; 8:45 am]

**BILLING CODE 3510-07-P**

**DEPARTMENT OF COMMERCE**

**National Telecommunications and Information Administration**

**15 CFR Part 2301**

[Docket No. 170627596-7803-02]

RIN 0660-AA34

**Repeal of Regulations Governing the Public Telecommunications Facilities Program**

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) is repealing its regulations governing the Public Telecommunications Facilities Program (PTFP). The PTFP was a competitive grant program that helped public broadcasting stations, state and local governments, Indian Tribes, and nonprofit organizations to construct public television and radio stations. As

of Fiscal Year 2011, no funds have been available for PTFP grants. NTIA is repealing its regulations governing the PTFP because the regulations are unnecessary and obsolete.

**DATES:** This rule becomes effective on September 20, 2017.

**FOR FURTHER INFORMATION CONTACT:** Milton Brown, Deputy Chief Counsel, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Room 4713, Washington, DC 20230; telephone: (202) 482-1816; facsimile: (202) 501-8013; or email: [mbrown@ntia.doc.gov](mailto:mbrown@ntia.doc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The PTFP was a competitive grant program that supports the planning and construction of public telecommunications facilities.<sup>1</sup> The program helped public broadcasting stations, state and local governments, Indian Tribes, and nonprofit organizations to construct public television and radio stations. On November 8, 1996, NTIA issued a final rule entitled, "Public Telecommunications Facilities Program," to carry out its statutory responsibility to administer the PTFP.<sup>2</sup>

<sup>1</sup> The PTFP is authorized under the Public Telecommunications Financing Act of 1978, as amended, 47 U.S.C. 390-393, 397-399b.

<sup>2</sup> 61 FR 57966 (Nov. 8, 1996). (The rules were codified at 47 CFR part 2301).

The regulations outlined the PTFP grant application requirements, the evaluation and selection process, post-award requirements, and the completion of PTFP grant projects. Between Fiscal Years 1994 and 2010, NTIA awarded between \$14 and \$42 million each year in PTFP grant awards to assist radio, television, digital television including digital conversion projects, and distance learning.

For the past seven years, no funds have been available for PTFP grants. In 2010, the Department of Commerce found that the majority of PTFP grants had assisted digital television conversion projects which had concluded, and that support for public broadcasters was available from other sources.<sup>3</sup> For these reasons, the Department of Commerce identified the PTFP as "outdated, ineffective, or duplicative."<sup>4</sup> Accordingly, Congress appropriated no funds for PTFP in Fiscal Year 2011.<sup>5</sup>

<sup>3</sup> See Commerce, Justice, Science, and Related Agencies Appropriations for Fiscal Year 2011: Hearing before the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Senate Committee on Appropriations, 111th Cong. 12, 22 (Mar. 4, 2010).

<sup>4</sup> *Id.* at 12.

<sup>5</sup> See Department of Defense and Full-Year Continuing Appropriations Act of 2011, Pub. L. 112-10, sec. 1320 (Apr. 15, 2011) ("Notwithstanding section 1101, the level of the following accounts shall be \$0: 'Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities Planning and

As a result of the lack of funding, NTIA began the orderly shutdown of the PTFP thereafter. NTIA has not processed applications or awarded any additional grants under the PTFP since that time. NTIA has continued to monitor PTFP grants it awarded before Fiscal Year 2011 to ensure taxpayer funds have been utilized in the most responsible and efficient manner.

## II. Comments

On July 18, 2017, NTIA published a Notice of Proposed Rulemaking (NPRM) in the **Federal Register** seeking comment on its proposed repeal of regulations governing the PTFP. NTIA did not receive any comments in response to the NPRM.

## III. Repeal of Regulations for the Public Telecommunications Facilities Program

Congress authorized NTIA to establish regulations “as may be necessary to carry out” the PTFP.<sup>6</sup> Due to the lack of funding for seven years and no prospective funding for the PTFP, the regulations governing the PTFP are unnecessary and obsolete. If these regulations are not removed, it may suggest that the program is still active and may cause confusion regarding the status of the program. Accordingly, NTIA is repealing its regulations governing the PTFP.

### *Administrative Procedure Act*

The Final Rule relates solely to the repeal of grant program processes, and, as such, is not subject to the requirements of the Administrative Procedure Act, 5 U.S.C. 553(a)(2).

### *Congressional Review Act*

It has been determined that this final rule is not major under 5 U.S.C. 801 *et seq.*

### *Executive Order 12866*

The repeal of the regulations governing the PTFP is not a significant regulatory action as defined by Executive Order 12866.

### *Executive Order 13132*

The repeal of the regulations governing the PTFP does not contain policies with federalism implications sufficient to warrant preparation of a

federalism assessment under Executive Order 13132.

### *Regulatory Flexibility Act*

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that the repeal of regulations governing the PTFP would not have a significant impact on a substantial number of small entities in accordance with section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 605(b)). NTIA received no comments on the certification, which remains unchanged.

### *Paperwork Reduction Act*

The repeal of the regulations governing the PTFP contains no collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 is not required. In 2013, OMB approved NTIA’s requests to discontinue the following collections associated with the regulations governing the PTFP: OMB Control Numbers 0660–0003, 0660–0001, and 0605–0001; consequently, NTIA has no active collections associated with its regulations governing the PTFP.

### **Lists of Subjects in 15 CFR Part 2301**

Administrative procedure, Grant programs-communications, Reporting and recordkeeping requirements, Telecommunications.

■ For the reasons stated above, and under the authority of 47 U.S.C. 390–393 and 397–399b, NTIA is removing and reserving 15 CFR part 2301.

### **PART 2301—[REMOVED AND RESERVED]**

Dated: September 15, 2017.

**Leonard Bechtel,**

*Director of Administration and Chief Financial Officer, performing the non-exclusive duties of the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration.*

[FR Doc. 2017–20012 Filed 9–19–17; 8:45 am]

**BILLING CODE 3510–60–P**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 73**

[Docket No. FDA–2016–C–2570]

#### **Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA or we) is confirming the effective date of August 3, 2017, for the final rule that appeared in the **Federal Register** of July 3, 2017, and that amended the color additive regulations to provide for the expanded safe use of spirulina extract to seasonally color hard-boiled shell eggs at levels consistent with good manufacturing practice.

**DATES:** Effective date of final rule published in the **Federal Register** of July 3, 2017 (82 FR 30731), confirmed: August 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** Molly A. Harry, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1075.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of July 3, 2017 (82 FR 30731), we amended the color additive regulations in § 73.530 Spirulina extract (21 CFR 73.530) to provide for the expanded safe use of spirulina extract to seasonally color the shells of hard-boiled eggs.

We gave interested persons until August 2, 2017, to file objections or requests for a hearing. We received no objections or requests for a hearing on the final rule. Therefore, we find that the effective date of the final rule that published in the **Federal Register** of July 3, 2017, should be confirmed.

#### **List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Medical devices.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the July 3, 2017, final rule. Accordingly, the amendments issued thereby became effective August 3, 2017.

Construction’”). In the 2014 appropriation, Congress rescinded \$8.5 million from the NTIA PTFP account. Consolidated Appropriations Act, 2014, Pub. L. 113–76, sec. 524(a) (Jan. 17, 2014) (“Of the unobligated balances available for ‘Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities, Planning and Construction,’ \$8,500,000 is hereby rescinded”).

<sup>6</sup> 47 U.S.C. 392(e).