

Amendments to Hearing Procedures

On March 13, 2018, the Council adopted amendments to the hearing procedures, primarily to add hearings conducted under section 117 of the Dodd-Frank Act to the scope of the procedures. The Council has posted the amended hearing procedures on its website at <https://www.treasury.gov/initiatives/fsoc/designations/Pages/Hearing-Procedures.aspx> and on <http://www.regulations.gov>. Although the amendments were effective when adopted, the Council is requesting comments on the procedures and may make further amendments to reflect any comments received.

Section 117 of the Dodd-Frank Act applies to an entity that was a bank holding company having total consolidated assets equal to or greater than \$50 billion as of January 1, 2010, that received financial assistance under or participated in the Capital Purchase Plan established under the Troubled Asset Relief Program authorized by the Emergency Economic Stabilization Act of 2008, and to any successor entity (as defined by the Board of Governors of the Federal Reserve System (Board of Governors) in consultation with the Council) to such a bank holding company.⁴ Section 117(b) of the Dodd-Frank Act provides that such an entity shall, if it ceases to be a bank holding company, be treated as a nonbank financial company subject to supervision by the Board of Governors as if the Council had made a determination under section 113 of the Dodd-Frank Act with respect to that entity.⁵ Section 117(c) of the Dodd-Frank Act provides that an entity may request, in writing, an opportunity for a written or oral hearing before the Council to appeal its treatment as a nonbank financial company supervised by the Board of Governors.⁶

The Council amended the hearing procedures to add hearings conducted under section 117 of the Dodd-Frank Act to the scope of the procedures. Specifically, the Council amended the definition of “petitioner” in section 2 of the hearing procedures to add a reference to entities that are appealing their treatment pursuant to section 117 of the Dodd-Frank Act. Section 3(b) of the hearing procedures was amended to provide that a petitioner that is appealing its treatment pursuant to section 117 may request a hearing by submitting a written request to the Chairperson of the Council. Section 5(b)(3)(ii) of the hearing procedures was

amended to provide that any petitioner, including a petitioner appealing its treatment pursuant to section 117 of the Dodd-Frank Act, may submit additional written materials to supplement any materials presented during an oral hearing not later than 7 days after the date of that hearing. A new paragraph (4) was added to section 5(b) to provide that, in cases where an oral hearing is held under section 113 or 117 of the Dodd-Frank Act, the date of the hearing shall be deemed to be the date on which the Council has received any supplemental materials that are timely submitted after the oral hearing. The definition of “hearing date” in section 2 was accordingly deleted as unnecessary.

To reflect the addition of hearings conducted under section 117 of the Dodd-Frank Act to the scope of the procedures, conforming changes were made to sections 1(a) and (b) (regarding the authority for and scope of the procedures); section 4(b) (regarding the submission of written materials); section 7 (regarding the denial and dismissal of a hearing); and section 8(a) (providing that the substantive standards for Council review of petitions is not affected by the hearing procedures).

Finally, the Council made certain non-substantive or technical changes to update the hearing procedures. Specifically, the definitions of “hearing” and “oral hearing” in section 2 were deleted as unnecessary. Section 5(c)(2) was amended to clarify that, even when the Council determines to conduct an oral hearing through representatives, each member of the Council is entitled to participate in the oral hearing in lieu of appointing a representative. The former section 5(d)(1), providing that if the Council grants a request for an oral hearing, the hearing shall be conducted through both the submission of written materials and an oral hearing, was omitted from the hearing procedures as redundant with other provisions in the procedures. The former section 5(d)(2), providing for the conduct of an oral hearing, was redesignated as section 5(c)(3) and amended to add, consistent with the Council’s past practice, that the Chairperson of the Council, his representative, or the Hearing Clerk (as defined in the procedures) will preside at an oral hearing. Section 5(e), regarding transcripts of oral hearings, was redesignated as section 5(d) and amended to remove the reference to the petitioner’s right to “inspect” a transcript or other recording of the oral argument, leaving the reference to the petitioner’s right to receive a copy of the transcript or other recording and to submit corrections.

Dated: March 13, 2018.

Eric A. Froman,

Executive Director, Financial Stability Oversight Council.

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GENERAL SERVICES ADMINISTRATION

[Notice–PBS–2018–03; Docket No. 2018–0002; Sequence No. 3]

Notice of Availability of a Final Environmental Assessment for the Otay Mesa USDA Plant Inspection Station

AGENCY: Public Buildings Service (PBS), Pacific Rim Division, General Services Administration (GSA).

ACTION: Notice of availability.

SUMMARY: We are advising the public that GSA has prepared a Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the construction of the proposed U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Plant Inspection Station (PIS), adjacent to the existing Otay Mesa Land Port of Entry (LPOE) in Otay Mesa, San Diego County, California. Based on its finding of no significant impacts, GSA has determined that an Environmental Impact Statement need not be prepared.

DATES: A public meeting to solicit comments and provide information about the Final EA and FONSI will be held on Thursday, March 29, 2018, from 4:00 p.m. to 6:00 p.m., Pacific Time (PT).

ADDRESSES: The meeting will be held at the Holiday Inn Express & Suites Conference Room, located at 2296 Niels Bohr Court, San Diego, California 92154.

Copies of the EA and FONSI are also available for public inspection at the Otay Mesa-Nestor Branch Library, located at 3003 Coronado Avenue, San Diego, CA 92154. The Final EA and FONSI can also be viewed on the GSA website at <http://www.gsa.gov/nepa>. Click on *NEPA Library*, then *Public Documents*. In addition, copies may be obtained by calling or writing to the individual listed below.

FOR FURTHER INFORMATION CONTACT: Please contact Osmahn Kadri, NEPA Project Manager, Pacific Rim Region, GSA, 50 United Nations Plaza, Room 3345, Mailbox 9, San Francisco, CA 94102, by phone at 415–522–3617, or via email to osmahn.kadri@gsa.gov.

SUPPLEMENTARY INFORMATION:

⁴ 12 U.S.C. 5327.

⁵ 12 U.S.C. 5327(b).

⁶ 12 U.S.C. 5327(c).

Background

Details of the Preferred Alternative were described in the NEPA document entitled *Final Environmental Assessment for the USDA Animal and Plant Health Inspection Service Plant Inspection Station at the Otay Mesa Land Port of Entry, San Diego, California* (JMT, 2018). The Draft EA was published and circulated among responsible government agencies and the public for a period of no less than 30 days, ending on December 29, 2017. A public meeting on the Draft EA was held on December 5, 2017. Comments received during the meeting and circulation period were considered by GSA in this final decision. The finding, which is based on the EA, reflects GSA's determination that the construction of the proposed facility will not have a significant impact on the quality of the human or natural environment.

Finding

Pursuant to the provision of GSA Order ADM 1095.1F, the PBS NEPA Desk Guide, and the regulations issued by the Council of Environmental Quality, (40 CFR parts 1500 to 1508), this notice advises the public of our finding that the action described above will not significantly affect the quality of the human environment.

The Finding of No Significant Impact will become final 30 days after the publication of this notice, provided that no information leading to the contrary finding is received or comes to light during this period.

Dated: March 12, 2018.

Matthew Jear,

*Director, Portfolio Management Division,
Pacific Rim Region, Public Buildings Service.*

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: HHS-OS-0990-0281-30D]

Notice for Request for Generic Clearance; Agency Information Collection Request; 30-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before April 18, 2018.

ADDRESSES: Submit your comments to OIRA_submission@omb.eop.gov or via facsimile to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Sherrette Funn, Sherrette.Funn@hhs.gov or (202) 795-7714. When submitting comments or requesting information, please include the document identifier HHS-OS-0990-0281-30D and project title for reference.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Prevention Communication Formative Research—Revision—OMB No. 0990-0281.

Type of Collection: Revision.

OMB No. 0990-0281—Office of Disease Prevention and Health Promotion.

Abstract: The Office of Disease Prevention and Health Promotion (ODPHP) is focused on developing and disseminating health information to the public. ODPHP faces an increasingly urgent interest in finding effective ways to communicate health information to America's diverse population. ODPHP strives to be responsive to the needs of America's diverse audiences while simultaneously serving all Americans across a range of channels, from print to new communication technologies. To carry out prevention information efforts, ODPHP is committed to conducting formative and usability research to provide guidance on the development and implementation of their communication and education efforts. The information collected will be used to improve communication, products, and services that support key office activities including: Healthy People, Dietary Guidelines for Americans, Physical Activity Guidelines for Americans, healthfinder.gov, and increasing health care quality and patient safety. ODPHP communicates through its websites (www.healthfinder.gov, www.HealthyPeople.gov, www.health.gov) and through other channels including social media, print materials, interactive training modules, and reports. This request builds on previous formative research approaches to place more emphasis on Web-based data collection to allow greater geographical diversity among respondents, to decrease respondent burden, and to save government costs. Data collection will be qualitative and quantitative and may include in-depth interviews, focus groups, web-based surveys, omnibus surveys, card sorting, and various forms of usability testing of materials and interactive tools to assess the public's understanding of disease prevention and health promotion content, responses to prototype materials, and barriers to effective use. The program is requesting a 3-year clearance.

Likely Respondents: Respondents are likely to be either consumers or health professionals.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
Consumers (screening & omnibus survey)	7725	1	10/60	1287.5
Consumers (qualitative testing)	1250	1	1	1250
Consumers (focus groups)	575	1	1.5	862.5
Consumers (screening & intercepts)	35250	1	5/60	2937.5
Consumers (survey)	10000	1	15/60	2500