

Vietnam's consultations request states that these measures appear to be inconsistent with the United States obligations under the GATT 1994 and the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement). Specifically, Vietnam invokes the obligations in Articles 2.2, 2.3, 4.1, 5.1, 5.3, 5.6, 8, and Annex C(1)(a) of the SPS Agreement and Article I:1 of the GATT 1994.

### III. Public Comments: Requirements for Submissions

USTR invites written comments concerning the issues raised in this dispute. All submissions must be in English and sent electronically via [www.regulations.gov](http://www.regulations.gov). For alternatives to electronic submissions, contact Sandy McKinzy at (202) 395-9483.

To submit comments via [www.regulations.gov](http://www.regulations.gov), enter docket number USTR-2018-0009 on the home page and click "search." The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting "Notice" under "Document Type" on the left side of the search-results page, and click on the link entitled "Comment Now!" For further information on using the [www.regulations.gov](http://www.regulations.gov) website, please consult the resources provided on the website by clicking on "How to Use Regulations.gov" on the bottom of the home page.

The [www.regulations.gov](http://www.regulations.gov) website allows users to provide comments by filling in a "Type Comment" field, or by attaching a document using an "Upload File" field. USTR prefers that comments be provided in an attached document. If a document is attached, it is sufficient to type "See attached" in the "Type Comment" field. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If the submission is in an application other than those two, please indicate the name of the application in the "Type Comment" field.

For any comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters "BC". Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page and the submission should clearly indicate, via brackets, highlighting, or other means, the specific information that is business confidential. If you request business confidential treatment, you must certify in writing that disclosure of the information would endanger trade

secrets or profitability, and that the information would not customarily be released to the public. Filers of submissions containing business confidential information also must submit a public version of their comments. The file name of the public version should begin with the character "P". The "BC" and "P" should be followed by the name of the person or entity submitting the comments or rebuttal comments. If these procedures are not sufficient to protect business confidential information or otherwise protect business interests, please contact Sandy McKinzy at (202) 395-9483 to discuss whether alternative arrangements are possible.

USTR may determine that information or advice contained in a comment, other than business confidential information, is confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If a submitter believes that information or advice is confidential, s/he must clearly designate the information or advice as confidential and mark it as "SUBMITTED IN CONFIDENCE" at the top and bottom of the cover page and each succeeding page, and provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the Uruguay Round Agreements Act (19 U.S.C. 3537(e)), USTR will maintain a docket on this dispute settlement proceeding, docket number USTR-2018-0009, accessible to the public at [www.regulations.gov](http://www.regulations.gov). The public file will include non-confidential public comments USTR receives regarding the dispute. If a dispute settlement panel is convened, or in the event of an appeal from a panel, USTR will make the following documents publicly available at [www.ustr.gov](http://www.ustr.gov): the U.S. submissions and any non-confidential summaries of submissions received from other participants in the dispute. If a dispute settlement panel is convened, or in the event of an appeal from a panel, the report of the panel, and, if applicable, the report of the Appellate Body, will also be available on the website of the World Trade Organization, at [www.wto.org](http://www.wto.org).

**Juan Millan,**

*Assistant United States Trade Representative for Monitoring and Enforcement, Office of the U.S. Trade Representative.*

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**BILLING CODE 3290-F8-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2017-0975]

### Agency Information Collection Activities: Submissions for OMB Approval

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** 30-day notice and request for comments.

**SUMMARY:** The Federal Aviation Administration is seeking approval from the Office of Management and Budget (OMB) for a renewal of the existing Information Collection 2120-0768. As required by the Paperwork Reduction Act of 1995 (PRA), the purpose of this notice is to allow 30 days for public comment. The Information Collection was previously published in the **Federal Register** on February 12, 2018 and allowed 60 days for the public comment.

The FAA proposes collecting information related to requests to operate Unmanned Aircraft Systems (UAS) in controlled airspace. The FAA will use the collected information to make determinations whether to authorize or deny the requested operation of UAS in controlled airspace. The proposed information collection is necessary to issue such authorizations or denials consistent with the FAA's mandate to ensure safe and efficient use of national airspace.

In addition, the FAA proposes collecting information related to requests for waiver from the waivable provisions of the applicable regulations. The proposed information collection is necessary to determine whether the proposed operation is eligible for waiver consistent with the FAA's mandate to ensure safe and efficient use of national airspace.

Several comments received were either positive or pertained to matters not directly addressed in this Information Collection.

**DATES:** Written comments should be submitted by May 29, 2018.

**ADDRESSES:** You may submit comments [identified by Docket No. FAA-2017-0975] through one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 1-202-493-2251.
- **Mail or Hand Delivery:** Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey

Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Casey Nair, FAA's UAS Low Altitude Authorization and Notification Capability (LAANC) Program Manager, tel (202) 267–0369 or via email at [Casey.Nair@faa.gov](mailto:Casey.Nair@faa.gov).

**SUPPLEMENTARY INFORMATION: Public Comments Invited.**

You are asked to comment on any aspect of this information collection, including (a) whether the proposed collection of information is necessary for the FAA's performance; (b) the accuracy of the estimated burden; (c) ways for the 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.

*Title:* Renewal of Existing Information Collection 2120–0768.

*OMB Control Number:* 2120–0768.

*Form Number(s):* There are no FAA forms associated with this collection.

*Type of Review:* Renewal of an information collection.

*Background:* The FAA has seen increased operations of small Unmanned Aircraft Systems (UAS) flying under 14 CFR part 107. Section 107.41 states that “no person may operate a small unmanned aircraft in Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport unless that person has prior authorization from Air Traffic Control (ATC).” Such authorization may be obtained in the form of either an airspace authorization issued by the FAA or a waiver of the authorization requirements of 14 CFR 107.41 (airspace waiver). Additionally, operators may request waivers of the other operational requirements listed in § 107.205 (operational waivers).

In order to process authorization and airspace waiver requests, the FAA requires the operator's name, the operator's contact information, and information related to the date, place, and time of the requested small UAS operation. This information is necessary for the FAA to meet its statutory mandate of maintaining a safe and efficient national airspace. See 49 U.S.C. 40103 and 44701; Public Law 112–95, Section 333.

Additionally, if the operator is seeking an operational waiver from one of the other regulations listed in 14 CFR 107.205, further information is required related to the proposed waiver and any necessary mitigations. The FAA will use

the requested information to determine if the proposed UAS operation can be conducted safely.

The FAA proposes to use LAANC and a web portal to process authorization requests from the public to conduct part 107 flight operations pursuant to § 107.41. The FAA also proposes to use the web portal to process requests from the public to conduct part 107 flight operations that require an operational waiver or an airspace waiver.

*Summary of Comments:* The FAA received three comments during the published public comment period that began on February 12, 2018. One commenter asserted that the process for part 107 operators to obtain authorization from ATC is overbearing and that part 107 operators should be allowed to contact ATC directly via the telephone. The large number of potential telephone calls (estimated at over 200,000 from 2018 to 2020) makes this proposed solution unfeasible and such a process would increase the burden on part 107 operators by creating unreasonably long wait times for approval and would increase uncertainty and inconsistency of authorization when ATC cannot be reached. Under the web portal process, which processes individual requests such as the one proposed here, the wait time for a response is 90+ days.

Another comment addressed procedures for implementing Control and Non-Payload Communications Links and does not pertain to the matters addressed in this Information Collection.

The final comment was from the Air Line Pilots Association, International (ALPA), which addressed a number of issues, grouped in two main categories. First, ALPA commented that the use of LAANC and the web portal to process authorization requests to conduct part 107 flight operations in controlled airspace has not been subject to sufficient safety risk evaluation. Both LAANC and the web portal are administrative systems. Neither introduce change to the NAS enterprise architecture or any alteration to any established FAA processes including those that involve safety. LAANC and the web portal provide another means for part 107 operators to comply with part 107's established requirements and safety processes. Both LAANC and the web portal are in alignment with part 107.

Second, ALPA commented that the FAA has not determined through its SMS process the risk that UAS operating in controlled airspace introduce to the NAS and, therefore, ALPA is unable to determine if the

information collected is adequate. This second category of comments was substantially the same as comments that ALPA submitted to the earlier Notice of Proposed Rule Making (NPRM) that was eventually implemented as a final rule at 81 FR 42063 on June 28, 2016 and codified as 14 CFR part 107. Part 107 addresses ALPA's safety concerns. The FAA analyzed the proposed information to be collected from the public for both authorization requests and waivers and determined that the information is sufficient for the FAA to meet the previously established requirements.

Additionally, the FAA has re-reviewed the nine comments that were received in response to the earlier published **Federal Register** notice for the emergency approval of the existing Information Collection 2120–0768, published on October 12, 2017 at 82 FR 47289. Six of these comments were positive and supported the implementation of an automated system to process authorization requests. Two comments discussed the wait times under the non-automated approval process and involved the commenters' disagreement with the requirements of part 107. These comments pertain to matters not directly addressed in this Information Collection. The remaining comment made a recommendation to allow local emergency management officials to create temporary “no fly” zones to support emergency operations. This comment is also not directly related to the matters addressed in this Information Collection.

*Affected Public:* Small UAS operators seeking to conduct flight operations under 14 CFR part 107 either within controlled airspace or that require waiver from certain provisions of part 107.

*Frequency of Submission:* The requested information will need to be provided each time a respondent requests an airspace authorization to operate a small UAS under 14 CFR part 107 in controlled airspace. A respondent may reduce the frequency by seeking and obtaining an airspace waiver to conduct recurring operations. For requests for operational waivers, a respondent will only need to provide the information once at the time of the request for waiver. If granted, operational waivers may be valid for up to four (4) years.

*Number of Respondents:* Between 2018–2020, the FAA estimates it will receive a total of 203,116 requests for airspace authorizations, 24,721 requests for airspace waivers, and 15,169 requests for operational waivers. The FAA has increased the estimated number of requests for airspace

authorizations to 203,116 from the 160,766 that was estimated in the published 60-Day Notice due to the change in the forecast of UAS growth that was published in the FAA Aerospace Forecast for Fiscal Years 2018–2038.

**Total Annual Burden:** The FAA estimates that the annual burden hours on respondents will be 11,948 hours (4,173 hours for LAANC respondents and 7,775 hours for web portal respondents) for airspace authorizations, 4,120 hours for airspace waivers, and 3,286 hours for operational waivers. The estimated total annual burden hours increased from the 9,953 hours published in the 60-Day Notice to 11,948 hours due to the change in the forecast of UAS growth that was published in the FAA Aerospace Forecast for Fiscal Years 2018–2038.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FAA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC, on April 20, 2018.

**Casey Nair,**

*UAS LAANC Program Manager.*

[FR Doc. 2018–08707 Filed 4–25–18; 8:45 am]

**BILLING CODE** 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2017–0008–N–3]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) abstracted below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified below.

**DATES:** Interested persons are invited to submit comments on or before June 25, 2018.

**ADDRESSES:** Submit written comments on the ICR activities by mail to either:

Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33–497, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34–212, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, “Comments on OMB Control Number 2130–0505,” and should also include the title of the ICR. Alternatively, comments may be faxed to (202) 493–6216 or (202) 493–6497, or emailed to Mr. Brogan at [Robert.Brogan@dot.gov](mailto:Robert.Brogan@dot.gov), or Ms. Toone at [Kim.Toone@dot.gov](mailto:Kim.Toone@dot.gov). Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33–497, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34–212, Washington, DC 20590 (telephone: (202) 493–6132).

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days’ notice to the public to allow comment on information collection activities before seeking OMB approval of the activities. *See* 44 U.S.C. 3506, 3507; 5 CFR 1320.8–12. Specifically, FRA invites interested parties to comment on the following ICR regarding: (1) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA’s estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for

FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology. *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations mandate. In summary, FRA reasons that comments received will advance three objectives: (1) Reduce reporting burdens; (2) organize information collection requirements in a “user-friendly” format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

**Title:** Inspection and Maintenance of Steam Locomotives (Formerly Steam Locomotive Inspection).

**OMB Control Number:** 2130–0505.

**Abstract:** The Locomotive Boiler Inspection Act (LBIA) of 1911 required each railroad subject to the Act to file copies of its rules and instructions for the inspection of locomotives. The original LBIA was expanded to cover all steam locomotives and tenders, and all their parts and appurtenances. As amended, this Act requires carriers to make inspections and to repair defects to ensure the safe operation of steam locomotives. Currently, the collection of information is used primarily by tourist or historic railroads and by locomotive owners/operators to provide a record for each day a steam locomotive is placed in service, as well as a record that the required steam locomotive inspections are completed. The collection of information is also used by FRA and State rail safety inspectors to verify that necessary safety inspections and tests have been completed and to ensure that steam locomotives are indeed “safe and suitable” for service and are properly operated and maintained.

**Type of Request:** Extension without Change of a Currently Approved Information Collection.

**Affected Public:** Businesses.

**Form(s):** FRA–1, FRA–2, FRA–3, FRA–4, FRA–5.

**Respondent Universe:** 82 Steam Locomotive Owners/Operators.

**Frequency of Submission:** On occasion; annually.

**Reporting Burden:**