

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.

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### Notice of Public Meeting of the Assembly of the Administrative Conference of the United States

**AGENCY:** Administrative Conference of the United States.

**ACTION:** Notice of Public Meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Assembly of the Administrative Conference of the United States to consider proposed recommendations which deal with: (1) Regulatory analysis requirements, (2) midnight rules, (3) immigration removal adjudication, (4) the Paperwork Reduction Act, and (5) improving coordination of related agency responsibilities. To facilitate public participation, the Conference is inviting public comment on the recommendations that will be considered at the meeting.

**DATES:** Meeting dates are Thursday, June 14, 2012, 1:00 p.m. to 6:00 p.m.; and Friday, June 15, 2012, 9:00 a.m. to 12:30 p.m. Comments on the recommendations must be received by noon, Friday, June 8, 2012.

**ADDRESSES:** The Public Meeting will be held at the Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581 (Main Conference Room).

Submit comments to either of the following: Email [comments@acus.gov](mailto:comments@acus.gov), with "June 2012 Plenary Session Comments" in the subject line; or mail to June 2012 Plenary Session Comments, Administrative Conference of the United States, Suite 706 South, 1120 20th Street NW., Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Shawne McGibbon, General Counsel (the Designated Federal Officer), Administrative Conference of the United States, Suite 706 South, 1120

20th Street NW., Washington, DC 20036; Telephone 202-480-2088.

**SUPPLEMENTARY INFORMATION:** The Administrative Conference of the United States makes recommendations to administrative agencies, the President, Congress, and the Judicial Conference of the United States regarding the improvement of Federal administrative procedures (5 U.S.C. 594). The objectives of these recommendations are to ensure that private rights may be fully protected and regulatory activities and other Federal responsibilities may be carried out expeditiously in the public interest, to promote more effective public participation and efficiency in the rulemaking process, reduce unnecessary litigation in the regulatory process, improve the use of science in the regulatory process, and improve the effectiveness of laws applicable to the regulatory process (5 U.S.C. 591).

The membership of the Conference meeting in plenary session constitutes the Assembly of the Conference (5 U.S.C. 595). The Assembly will meet in plenary session to consider five proposed recommendations:

(1) The recommendation "Regulatory Analysis Requirements" addresses the issue of agencies having to comply with numerous regulatory analysis requirements created by statute and executive orders. The recommendation is supported by an extensive report which includes an appendix charting all of the regulatory analysis requirements of the 100 significant rules subject to Office of Management and Budget (OMB) review in 2010. The goal of the recommendation is to ensure agencies fulfill the regulatory analysis requirements efficiently, and to enhance the transparency of the process. Agencies, the Congress, the President and the Office of Information and Regulatory Affairs at OMB are all encouraged to play a role in achieving this goal.

(2) The recommendation "Midnight Rules" addresses several issues raised by the publication of rules in the final months of a presidential administration and offers proposals for limiting the practice by incumbent administrations and enhancing the powers of incoming administrations to review midnight rules.

(3) The recommendation "Immigration Removal Adjudication"

addresses the problem of case backlogs in immigration removals, and offers nearly 40 suggestions on ways to enhance efficiency and fairness in these cases.

(4) The recommendation "Paperwork Reduction Act" (PRA or the Act) addresses a variety of issues that have arisen since the Act was last revised in 1995. For instance, despite OMB guidance on the application of the PRA to social media, the Act does not yet account for new technologies. The proposal offers suggestions for improving public engagement in the review of information collection requests and for making the process more efficient for the agencies and OMB.

(5) The recommendation "Improving Coordination of Related Agency Responsibilities" addresses the problem of overlapping and fragmented procedures associated with assigning multiple agencies similar or related functions, or dividing authority among agencies. The underlying report was based on a 2012 *Harvard Law Review* article titled, "Agency Coordination in Shared Regulatory Space" (125 Harv. L. Rev. 1131). The recommendation proposes some reforms aimed at improving coordination of agency policymaking, including joint rulemaking, interagency agreements, and agency consultation provisions.

This meeting will be open to the public and may end prior to the designated end time if business is concluded earlier. Members of the public are invited to attend the meeting in person, subject to space limitations. The Conference will provide live, remote public access to the meeting via webcast at [www.acus.gov](http://www.acus.gov). The webcast will also be viewable via the agency's Web site subsequent to the meeting. Anyone who wishes to attend the meeting in person is asked to RSVP to [comments@acus.gov](mailto:comments@acus.gov), no later than June 12, 2012, in order to facilitate entry. Members of the public who attend the meetings of the full Assembly may be permitted to speak only with the consent of the Chairman and the unanimous approval of the members. The Conference welcomes the attendance of the public and will make every effort to accommodate persons with physical disabilities or special needs. If you need special accommodations due to disability,

please inform the contact person noted above no later than 7 days in advance of the meeting.

Members of the public may submit written comments on any or all of the recommendations to either of the addresses listed above no later than noon, June 8, 2012. Copies of the proposed recommendations, accompanying research reports and information on remote access will be available at [www.acus.gov](http://www.acus.gov). Comments relating to the individual proposed recommendations will be delivered to the Designated Federal Officer listed on this notice and will be posted on the Conference's Web site. Comments received at this stage will be available to the full Assembly prior to their consideration of the final recommendations.

Dated: May 22, 2012.

**David Pritzker,**

*Deputy General Counsel.*

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## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

May 22, 2012.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured

of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

#### Food and Nutrition Service

*Title:* 7 CFR Part 215—Special Milk Program for Children.

*OMB Control Number:* 0584-0005.

*Summary of Collection:* Section 3 of the Child Nutrition Act (CNA) of 1966 (Pub. L. 89-642, as amended; 42 U.S.C. 1772) authorizes the Special Milk Program (SMP) for Children. It provides for appropriation of such sums as may be necessary to enable the Secretary of Agriculture under such rules and regulations as the Secretary may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grades and under, and (2) nonprofit nursery schools, child care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children, which do not participate in a food service program authorized under the CNA or the National School Lunch Act.

*Need and Use of the Information:* The Food and Nutrition Service (FNS) will collect information to compute the amount of Federal SMP funds due the SA under the performance-funding formula; analyze and evaluate the results of program operation within each state and nationwide; respond to data requests from the Congress, OMB, and advocacy groups and the general public; develop budget projections of the amount of Federal funds needed to pay SMP program benefits; and regulate the flow of Federal funds to SA. Without this information FNS would not be able to evaluate program operations.

*Description of Respondents:* State, Local, and Tribal Government; Business or other for-profit; Not-for-profit institutions;

*Number of Respondents:* 5,569.

*Frequency of Responses:*

Recordkeeping; Reporting: Monthly.

*Total Burden Hours:* 21,246.

#### Food and Nutrition Service

*Title:* National School Lunch Program.

*OMB Control Number:* 0584-0006.

*Summary of Collection:* The Richard B. Russell School Lunch Act (NSLA), as amended, authorizes the National School Lunch Program (NSLP) to safeguard the health and well-being of the nation's children and provide low cost or free school lunch meals to qualified students through subsidies to schools. The United States Department of Agriculture (USDA) provides States with general and special cash assistance and donations of foods to assist schools in serving nutritious lunches to children each school day. Participating schools must serve lunches that are nutritionally adequate, and maintain menu and production records to demonstrate compliance with the meal requirements. Section 10 of the Child Nutrition Act of 1966 (42 U.S.C. 1779) requires the Secretary of Agriculture to prescribe such regulations as deemed necessary to carry out this Act and the NSLA (42 U.S.C. et seq.).

*Need and Use of the Information:* The information collection is required to administer and operate the program in accordance with the NSLA. The Program is administered at the State and school food authority levels and the operations include the submission and approval of applications, execution of agreements, submission of claims, payment of claims, providing monitoring and technical assistance.

If the data is not collected, FNS would not be able to properly monitor program funding and program trends.

*Description of Respondents:* State, Local, or Tribal Government, Individuals or household, Business or other for-profit, Not-for-profit institutions, Federal Government.

*Number of Respondents:* 122,661.

*Frequency of Responses:*

Recordkeeping; Reporting: On occasion; Quarterly; Monthly; Annually.

*Total Burden Hours:* 12,205,890.

#### Food and Nutrition Service

*Title:* 7 CFR Part 220, School Breakfast Program.

*OMB Control Number:* 0584-0012.

*Summary of Collection:* Section 4 of the Child Nutrition Act (CNA) of 1966, as amended, authorizes the School Breakfast Program (SBP). It provides for the appropriation of "such sums as are necessary to enable the Secretary to carry out a program to assist the States and the Department of Defense through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in all schools which make application for assistance and agree to carry out a nonprofit breakfast program in accordance with the Act." The Food and Nutrition Service (FNS)