

### Certification of Administrative Records for Judicial Review

9. Agencies should develop procedures for designating appropriate individuals, who may or may not be record custodians, to certify administrative records to the court in case of judicial review of agency action. Agency certifications should include an index of contents of the administrative record for judicial review.

### Agency Record Policies and Guidance

10. Agencies should develop a general policy regarding treatment of protected or privileged materials, including indexing, in public rulemaking dockets and in certification of the administrative record for judicial review. Agencies should make this policy available to the public and should provide it to the Department of Justice, if the Department represents the agency in litigation.

11. Agencies that engage in informal rulemaking should issue guidance to aid personnel in implementing the above best practices. Agencies should make their guidance on informal rulemaking and administrative recordkeeping available to the public and should provide it to the Department of Justice, if the Department represents the agency in litigation. The level of detail and contents of such guidance will vary based on factors such as: The size of typical agency rulemaking records; institutional experience, or the lack thereof, with record compilation and informal rulemaking litigation; the need for consistency across agency components in the development and maintenance of rulemaking records; and agency resources. However, agencies should ensure that guidance addresses at least the following:

- (a) Essential components of the rulemaking record, public rulemaking docket, and the administrative record for judicial review;
- (b) appropriate exclusions from the rulemaking record, including guidance on whether and when to exclude materials such as personal notes or draft documents;
- (c) timing of compilation and indexing practices;
- (d) management and segregation of privileged materials, e.g., attorney work product or pre-decisional deliberative materials;
- (e) management and segregation of sensitive or protected materials, e.g., copyrighted, classified, protected personal, or confidential supervisory or business information;
- (f) policies and procedures, if any, for the protection of sensitive information submitted by the public during the process of rulemaking or otherwise contained in the rulemaking record;
- (g) preservation of rulemaking and administrative records and public rulemaking dockets;
- (h) certification of the administrative record for judicial review, including the process for identifying the appropriate certifying official; and
- (i) relevant capabilities and limitations of recordkeeping tools and technologies.

### Judicial Review

12. A reviewing court should afford the administrative record for judicial review a presumption of regularity.

13. In appropriate circumstances, a reviewing court should permit or require supplementation or completion of the record on review. Supplementation or completion may be appropriate when the presumption of regularity has been rebutted, such as in cases where there is a strong showing that an agency has acted improperly or in bad faith or there are credible allegations that the administrative record for judicial review is incomplete.

[FR Doc. 2013-16541 Filed 7-9-13; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2013-0054]

#### Notice of Request for Extension of Approval of an Information Collection; Interstate Movement of Fruit From Hawaii

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Extension of approval of an information collection; comment request.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection associated with the regulations for the interstate movement of fruit from Hawaii.

**DATES:** We will consider all comments that we receive on or before September 9, 2013.

**ADDRESSES:** You may submit comments by either of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2013-0054-0001>.
- **Postal Mail/Commercial Delivery:** Send your comment to Docket No. APHIS-2013-0054, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road, Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0054> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m.,

Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** For information on the regulations for the interstate movement of fruit from Hawaii, contact Mr. David Lamb, Regulatory Coordination Specialist, RPM, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737; (301) 851-2103. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851-2908.

#### SUPPLEMENTARY INFORMATION:

**Title:** Interstate Movement of Fruit From Hawaii.

**OMB Number:** 0579-0331.

**Type of Request:** Extension of approval of an information collection.

**Abstract:** The Plant Protection Act (7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture to restrict the importation, entry, or interstate movement of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or their dissemination within the United States. The regulations in 7 CFR part 318, State of Hawaii and Territories Quarantine Notices, prohibit or restrict the interstate movement of fruits, vegetables, and other products from Hawaii, Puerto Rico, the U.S. Virgin Islands, and Guam to the continental United States to prevent the spread of plant pests or noxious weeds.

In accordance with the regulations in § 318.13-26, breadfruit, jackfruit, fresh pods of cowpea and its relatives, dragon fruit, mangosteen, moringa pods, and melon must meet certain conditions for interstate movement from Hawaii into the continental United States. These conditions involve information collection activities, including certificates and limited permits.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

- (1) Evaluate 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;
- (2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; e.g., permitting electronic submission of responses.

*Estimate of burden:* The public reporting burden for this collection of information is estimated to average 0.20 hours per response.

*Respondents:* Growers of breadfruit, jackfruit, fresh pods of cowpea and its relatives, dragon fruit, mangosteen, moringa pods, and melon in Hawaii.

*Estimated annual number of respondents:* 110.

*Estimated annual number of responses per respondent:* 24.76.

*Estimated annual number of responses:* 2,724.

*Estimated total annual burden on respondents:* 545 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 26th day of June 2013.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2013-16546 Filed 7-9-13; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Gogebic Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Gogebic Resource Advisory Committee (RAC) will meet in Watersmeet, Michigan on the date listed below. The Committee is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act of 2000 (the Act) (Pub. L. 112-141) and operates in compliance with the Federal Advisory Committee Act (FACA) (Pub. L. 92-463). The RAC's purposes are to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the Title II of the Act. The meeting is open to the

public. The purpose of the meeting is to review progress made on previously approved projects and prioritize future work.

**DATES:** The meeting will be held on Wednesday, July 31, 2013, at 9:30 a.m. (CST).

**ADDRESSES:** The meeting will be held at the Watersmeet and Iron River Ranger District Office, E23979 US 2 East (Corner of US 2 and HWY 45), Watersmeet, MI.

Written comments may be submitted as described under Supplementary Information listed below. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the Ottawa National Forest Supervisor's Office, E6248 US HWY 2, Ironwood, MI. Please call ahead to 906-932-1330 to facilitate entry into the building to view comments.

**FOR FURTHER INFORMATION CONTACT:** Lisa Klaus, RAC Coordinator, USDA, Ottawa National Forest Headquarters, E6248 US HWY 2, Ironwood, MI, 906-932-1330, ext. 328, or via email at [lklaus@fs.fed.us](mailto:lklaus@fs.fed.us).

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The agenda will include the following:

1. Review and approval of previous meeting minutes;
2. Review progress of previously approved projects and establish priorities for remaining projects; and
3. Public comments.

Anyone who would like to bring related matters to the attention of the Committee may file written statements with the Committee staff before or after the meeting. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by July 24, 2013, to be scheduled on the agenda. Written comments and requests for time for oral comments must be sent to Lisa Klaus, Ottawa National Forest, E6248 US HWY 2, Ironwood, MI 49938; Email: [lklaus@fs.fed.us](mailto:lklaus@fs.fed.us); or Facsimile: 906-932-0122.

A summary of the meeting will be posted at [https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure\\_rural\\_schools/nsf/RAC/633A713D46389D1A882575E00062107E?OpenDocument](https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure_rural_schools/nsf/RAC/633A713D46389D1A882575E00062107E?OpenDocument) within 21 days of the meeting.

If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices, or other reasonable accommodations for access to the facility for proceedings by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: July 2, 2013.

**Anthony Scardina,**  
*Forest Supervisor.*

[FR Doc. 2013-16551 Filed 7-9-13; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Ontonagon Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Ontonagon Resource Advisory Committee will meet in Kenton, Michigan on the dates listed below. The Committee is authorized under the Secure Rural Schools and Community Self-Determination Act of 2000, (the Act) (Pub. L. 112-141) and operates in compliance with the Federal Advisory Committee Act (FACA) (Pub. L. 92-463). The RAC's purposes are to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the Title II of the Act. The meeting is open to the public. The purpose of the meeting is to review progress made on previously approved projects and prioritize future work.

**DATES:** The meeting will be held on Tuesday, July 30, 2013, at 9:30 a.m. (EST).

**ADDRESSES:** The meeting will be held at the Kenton Ranger District Office, 4810 E. M28, Kenton, Michigan.

Written comments may be submitted as described under Supplementary Information listed below. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments at the Ottawa National Forest Headquarters, E6248 US HWY 2, Ironwood, MI. Please call ahead at 906-932-1330 to facilitate entry into the building to view comments.

**FOR FURTHER INFORMATION CONTACT:** Lisa Klaus, RAC Coordinator, USDA, Ottawa National Forest Headquarters, E6248 US