who participated in this assessment reported no difference in their visual perception of the test specimens.

Additionally, BMW noted that even for the out-of-specification lamp, all of the eight (8) test points satisfy the applicable FMVSS No. 108 photometric (illumination) requirements. BMW emphasized that the noncompliance pertains to the illumination ratio, not to the actual lamp illumination. As a consequence, BMW asserts that while the noncompliance condition can be measured in a laboratory, it cannot be detected by the human eye, and therefore drivers of approaching vehicles will be afforded the same level of visibility as if approaching a non-affected vehicle. According to BMW, these analyses support the conclusion that the condition caused by the noncompliance does not affect the safety of affected vehicle occupants or other road users such as drivers approaching affected vehicles.

(4) *Field Experience:* BMW states that its Customer Relations division has not received any contacts from vehicle owners regarding the matter at issue. As a consequence, BMW believes that, consistent with the results of the laboratory tests and human assessments described above, the condition is undetectable to road users such as drivers approaching affected vehicles. BMW further notes that it is not aware of any accidents or injuries that have occurred as a result of the condition.

(5) *Prior NHTSA Rulings:* BMW states that NHTSA has previously granted petitions from other manufacturers involving various issues pertaining to FMVSS No. 108 noncompliance. BMW believes that in some of those petitions, the photometry (illumination) of the test points remains well above the FMVSS No. 108 requirements as the noncompliance has no affect upon the illumination of the test points.

(6) *Vehicle Production:* BMW stated that subsequent vehicle production has been corrected to conform to paragraph 7.7.13.3 of FMVSS No. 108.

In summation, BMW expressed the belief that the subject noncompliance is inconsequential to motor vehicle safety, and that its petition, to exempt BMW from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and remedying the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that BMW no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after BMW notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2016–04862 Filed 3–3–16; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

[Docket No. DOT–OST–2016–0033]

Agency Request for Emergency Approval of an Information Collection

AGENCY: Office of the Secretary of Transportation (OST), DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Department of Transportation (DOT) provides notice that it will submit an information collection requests (ICR) to the Office of Management and Budget (OMB) for emergency approval of a proposed information collection. Upon receiving the requested six-month emergency approval by OMB, the Office of the Secretary of Transportation (OST) will follow the normal PRA procedures to obtain extended approval for this proposed information collection. The collection of information is necessary in order to receive applications for grant funds pursuant to Section 1105 of the Fixing America's Surface Transportation (FAST) Act of 2015, which was signed into law on December 4, 2015. Section 1105 establishes a new program for OST to provide Supplemental Discretionary Grants for a Nationally Significant Freight and Highway Projects (NSFHP) program. The Department will also refer to NSFHP grants as Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) grants. The FAST Act provides specific deadlines for this program, including a statutory 60-day Congressional notification requirement, which is no later than July 30, 2016. In order to ensure that the NSFHP grants are awarded in an expeditious manner and in the timeframes established by the FAST Act, the Department requests approval of an information collection using OMB's emergency processing system to meet Paperwork Reduction Act (PRA) requirements.

Information related to this ICR, including applicable supporting documentation may be obtained by contacting the NSFHP program manager via email at *NSFHP@dot.gov.*

DATES: Comments should be submitted as soon as possible upon publication of this notice in the **Federal Register**. Comments and questions should be directed to the Office of Information and Regulatory Affairs (OIRA), Attn: OST OMB Desk Officer, 725 17th Street NW., Washington, DC 20503. Comments and questions about the ICR identified below may be transmitted electronically to OIRA at *oira_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2105–XXXX

Title: Supplemental Discretionary Grants for a Nationally Significant Freight and Highway Projects (NSFHP) program, or NSFHP program.

Type of Review: Emergency information collection request.

Expected Number of Respondents: Approximately 200.

Frequency: The Department expects that this information collection will occur up to five times—once per fiscal year—from FY 2016 through FY 2020.

Estimated Average Burden per Response: 100 hours.

Estimated Total Annual Burden: 20,000.

Abstract: On December 4, 2015, President Obama signed into law the Fixing America's Surface Transportation Act, or ''FAST Act.'' It is the first law enacted in over ten years that provides long-term funding certainty for surface transportation. The FAST Act authorized at $4.5 billion for fiscal years (FY) 2016 through 2020, including $800 million for FY 2016 to be awarded by the Department of Transportation (the ''Department'') on a competitive basis to projects of national or regional significance. The funds provided by NSFHP program will be awarded on a competitive basis to projects that have a significant impact on the Nation, a metropolitan area, or a region. On or about the date hereof, the Department published a solicitation for applications for NSFHP grants. The solicitation announces the availability of funding

for NSFHP grants, project selection criteria, application requirements and the deadline for submitting applications.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1:48.

Issued in Washington, DC, on February 26, 2016.

John Augustine,

Director, Office of Infrastructure and Innovative Finance.

[FR Doc. 2016–04802 Filed 3–3–16; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

Financial Crimes Enforcement Network; Withdrawal of Finding Regarding Banca Privada d'Andorra

AGENCY: Financial Crimes Enforcement Network (''FinCEN''), Treasury.

ACTION: Withdrawal of finding.

SUMMARY: This document withdraws FinCEN's finding that Banca Privada d'Andorra (''BPA'') is a financial institution of primary money laundering concern, pursuant to Section 311 of the USA PATRIOT Act (''Section 311''), codified at 31 U.S.C. 5318A. Because of material subsequent developments that have mitigated the money laundering risks associated with BPA, FinCEN has determined that BPA is no longer a primary money laundering concern that warrants the implementation of a special measure under Section 311. Elsewhere in this issue of the **Federal Register**, FinCEN is publishing a withdrawal of the related notice of proposed rulemaking that would have imposed a special measure against BPA.

DATES: The finding is withdrawn as of March 4, 2016.

FOR FURTHER INFORMATION CONTACT: The FinCEN Resource Center at (800) 767–2825.

SUPPLEMENTARY INFORMATION:

I. Background

On October 26, 2001, the President signed into law the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, Public Law 107–56 (''the USA PATRIOT Act''). Title III of the USA PATRIOT Act amends the anti-money laundering provisions of the Bank Secrecy Act (''BSA''), codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5314, 5316–5332, to promote the prevention, detection, and prosecution of international money laundering and the financing of terrorism. Regulations implementing the BSA appear at 31 CFR Chapter X. The authority of the Secretary of the Treasury to administer the BSA and its implementing regulations has been delegated to the Director of FinCEN.

Section 311 of the USA PATRIOT Act (''Section 311'') grants the Director of FinCEN the authority, upon finding that reasonable grounds exist for concluding that a foreign jurisdiction, foreign financial institution, class of transactions, or type of account is of ''primary money laundering concern,'' to require domestic financial institutions and financial agencies to take certain ''special measures'' to address the primary money laundering concern. The special measures enumerated under Section 311 are prophylactic safeguards that defend the U.S. financial system from money laundering and terrorist financing. FinCEN may impose one or more of these special measures in order to protect the U.S. financial system from these threats. To that end, special measures one through four, codified at 31 U.S.C. 5318A(b)(1)–(b)(4), impose additional recordkeeping, information collection, and information reporting requirements on covered U.S. financial institutions. The fifth special measure, codified at 31 U.S.C. 5318A(b)(5), allows the Director to prohibit or impose conditions on the opening or maintaining of correspondent or payable-through accounts by covered U.S. financial institutions.

II. The Finding and Notice of Proposed Rulemaking

On March 13, 2015, FinCEN provided notice in the **Federal Register** that it had found Banca Privada d'Andorra (''BPA''), a bank headquartered in Andorra, to be of primary money laundering concern.[1] Based on the finding, FinCEN also published on March 13, 2015 a notice of proposed rulemaking (''NPRM'') proposing the imposition of the fifth special measure with respect to BPA, and invited public comment.[2] Specifically, FinCEN proposed to prohibit covered financial institutions from establishing, maintaining, administering, or managing in the United States any correspondent account for, or on behalf of, BPA. FinCEN also proposed to require a covered financial institution to apply special due diligence to all of its foreign correspondent accounts that is reasonably designed to guard against processing transactions involving BPA. Among other things, covered financial institutions would have been required to notify those foreign correspondent account holders that the covered financial institutions know or have reason to know provide services to BPA that such correspondents may not provide BPA with access to the correspondent account maintained at the covered financial institution.

III. Subsequent Developments

Significant developments regarding BPA have occurred since FinCEN announced its finding and related NPRM regarding BPA, as described below. As a result, BPA is no longer operating as a financial institution that poses a money laundering threat to the U.S. financial system.

On March 11, 2015, the Institut Nacional Andorrà de Finances (''INAF''), the Andorran regulator and supervisor of financial institutions, appointed two INAF representatives to oversee BPA's operations. On March 12, 2015, the INAF suspended the authority of BPA's board of directors, the chief executive officer and two other senior managers and appointed special administrators to assume full control of BPA. On March 13, 2015, Andorran law enforcement arrested BPA's chief executive officer in Andorra on suspicion of money laundering.

The next month, in April 2015, the Andorran parliament enacted a law regarding the restructuring and resolution of banks, which created a new government agency, Agència Estatal de Resolució d'Entitats Bancàries (''AREB''), for that purpose. On April 27, 2015, AREB took over control of BPA.[3] In June 2015, AREB approved a resolution plan for BPA, under which the bank's ''good'' and ''bad'' assets, liabilities, and clients would be separated. Under the resolution plan, the ''good'' assets, liabilities, and clients are to be transferred to a bridge bank, and the bridge bank sold.[4] In July 2015, AREB announced the creation of the bridge bank, named Vall Banc, to receive the transfer of BPA's legitimate assets, liabilities, and clients. Vall Banc is wholly-owned by AREB, is registered with the INAF, and is supervised by

[1] 80 FR 13464 (Mar. 13, 2015).

[2] 80 FR 13304 (Mar. 13, 2015) (RIN 1506–AB30). FinCEN publicly announced the finding and NPRM on March 10, 2015.

[3] Press Release, AREB, *AREB Assumes the Tutelage of BPA,* April 27, 2015, (*http://areb.ad/images/areb/comunicats/27042015_AREB_ENG.pdf.*)

[4] Press Release, AREB, *AREB Will Create a 'Good Bank' with Legitimate Assets and Liabilities Segregated from BPA,* June 15, 2015, (*http://areb.ad/images/areb/comunicats/15062015_AREB_ENG.pdf.*)