

Cole Porter and Frank Sinatra songs subject to possible prohibition under a reasonable understanding of the words lascivious, lewd and the process of eliciting a sexual response. To whom can an appeal be made regarding the decision or judgement of material under this regulation? Re-submission to the same board after 5 years? That's not an appeal, that's a sentence longer than what is typically given to criminals who cause effects of far greater cost in terms of readiness and manpower to our military forces. I am quite certain we can certainly find better things to decide when offering products and services for sale on DoD property? How about lower prices and better quality products?

Comment 3: I am having trouble understanding reasoning and purpose for this rule. This rule would cost "\$5,500 annually for the life of the rule to manage the Board." It seems as if nearly 6 grand annually could be saved and spent on something else that would have greater effects. I do not believe that it is the government's place to say what a person may or may not do within the comfort and privacy of their own home. And by doing so becomes dangerously close to interfering with fundamental liberties that we, as Americans, enjoy. I believe the deterring effects of this rule would do little good. Because those in the military are specifically trained to deal with instances of sexual harassment, military members are already equipped with the information they need to deal with these unique situations. This rule, which would ban the sale or rental of sexually explicit material on property under DoD jurisdiction, in my opinion, could have the opposite intended affect. Just think back to when you were a kid, and your parents told you that you were not allowed to eat ice cream after 9 p.m. What is the one single thing you wanted to do after 9 p.m.? I do not know about you, but I would want to eat ice cream. If you do not draw attention to something in the first place, then it is more likely to go unnoticed. Therefore, I see little persuasive reasoning for the passage of this rule. Not only does it waste money, but also it is also a waste of time and valuable resources that could be better spent elsewhere.

Comment 4: This proposed rule seems to be a waste of money, no matter how small the amount in controversy is. With a growing budget deficit, and no end in sight, all possible means should be taken to tighten the purse strings and prevent excess spending. Furthermore, I am troubled by any proposal which cannot state for certainty that the cost will not go up in the future. Second, there does not seem to be any identified

criteria for determining what can and can't be sold. It seems to be what is considered prohibited will turn on whoever is making the decision at that time. This will lead to inconsistent enforcement and a regulation that changes over time.

Comment 5: This rule is just plain silly. Aside from wasting money I don't see any value this rule would have. Just because military members have access to sexually explicit material does not mean they will turn into sexual predators. I believe the opposite is true. Military members have extensive training on sexual harassment, and have an effective method to report sexual misconduct. As stated above, this rule would be a waste of money.

Response: DoD thanks each commenter for their comments. However, no changes will be made to DoD's policy because it has been mandated by Congress through 10 U.S.C. 2495b. Based upon the information in the **SUMMARY** and **SUPPLEMENTARY INFORMATION** sections of this rule, we are removing the rule from the Code of Federal Regulations. Nevertheless, DoD's initial guidance contained in DoD Instruction 4105.70, which may be updated from time to time, remains in effect and is available at <http://www.dtic.mil/whs/directives/corres/pdf/410570p.pdf>.

DoD has determined that publication for public comment of this CFR part removal is impracticable, unnecessary, and contrary to public interest, since removal from the CFR will remove DoD internal policies and procedures that are publically available on the DoD issuance Web site.

The removal of this rule will be reported in future status updates of DoD's retrospective review in accordance with Executive Order 13563, "Improving Regulation and Regulatory Review." DoD's full plan can be accessed at: <http://www.regulations.gov/#!docketDetail;D=DOD-2011-OS-0036>.

List of Subjects in 32 CFR Part 235

Business and industry, Concessions, Government contracts, Military personnel.

PART 235—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 235 is removed.

Dated: October 14, 2016.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 249

[Docket ID: DOD-2016-OS-0097]

RIN 0790-A175

Presentation of DoD-Related Scientific and Technical Papers at Meetings

AGENCY: Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes DoD's regulation concerning the presentation of DoD-related scientific and technical papers at meetings. The codified rule is outdated and no longer accurate or applicable as written. The codified rule contains internal guidance relating to how and when DoD scientific and technical papers in the possession or under the control of DoD can be presented at meetings. The rule does not impose obligations on members of the public. Therefore, 32 CFR part 249 can be removed from the CFR.

DATES: This rule is effective on October 20, 2016.

FOR FURTHER INFORMATION CONTACT: Patricia Toppings at 571-372-0485.

SUPPLEMENTARY INFORMATION: DoD internal guidance concerning the presentation of DoD-related scientific and technical papers at meetings will continue to be published in DoD Instruction 5230.27. Once the revision of DoD Instruction 5230.27 is signed, a copy will be made available at <http://www.dtic.mil/whs/directives/corres/pdf/523027p.pdf>.

It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing DoD internal policies and procedures that are publically available on the Department's issuance Web site.

The removal of this rule will be reported in future status updates of DoD's retrospective review plan in accordance with the requirements in Executive Order 13563. DoD's full plan can be accessed at: <http://www.regulations.gov/#!docketDetail;D=DOD-2011-OS-0036>.

List of Subjects in 32 CFR Part 249

Armed forces, Classified information, Science and technology.

PART 249—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 249 is removed.

Dated: October 14, 2016.

Aaron Siegel,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

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BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

**32 CFR Parts 344, 352a, 383a, 395, 396,
397, 398, and 399**

[Docket ID: DOD-2016-OS-0102]

RIN 0790-AJ53

Organizational Charters

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This final rule removes Department of Defense (DoD) Subchapter R concerning organizational charters. The rules in this subchapter address DoD organizational processes for Assistant Secretary of Defense for Reserve Affairs (ASD(RA)), Defense Finance and Accounting Service (DFAS), Defense Commissary Agency (DeCA), and Defense Legal Services Agency (DLSA). It has been determined that there is no need to codify the rules in the Code of Federal Regulations (CFR) because these documents will not create a mandate applicable to persons outside of the DoD.

DATES: Effective October 20, 2016.

FOR FURTHER INFORMATION CONTACT: Patricia Toppings at 571-372-0485.

SUPPLEMENTARY INFORMATION: A copy of the current DoD Directives may be obtained from the DoD Directives Division Web site at the following Web addresses: <http://www.dtic.mil/whs/directives/corres/pdf/512501p.pdf>, <http://www.dtic.mil/whs/directives/corres/pdf/511805p.pdf>, <http://www.dtic.mil/whs/directives/corres/pdf/510555p.pdf>, <http://www.dtic.mil/whs/directives/corres/pdf/514504p.pdf>.

Moreover, it has been determined that publication of these CFR part removals for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing DoD internal policies and procedures that are publically available on the Department's issuance Web site.

List of Subjects in 32 CFR Parts 344, 352a, 383a, 395, 396, 397, 398, and 399

Authority delegations (Government agencies), Legal services, Organization and functions (Government agencies).

Subchapter R—[Removed]

■ Accordingly, by the authority of 5 U.S.C. 301, Title 32, subtitle A, chapter I, is amended by removing subchapter R, consisting of parts 344, 352a, 383a, and 395 through 399.

Dated: October 14, 2016.

Aaron Siegel,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

[FR Doc. 2016-25330 Filed 10-19-16; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2016-0783]

Drawbridge Operation Regulation; Chester River, Chestertown, MD

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from drawbridge regulation; Modification.

SUMMARY: The Coast Guard has modified a temporary deviation from the operating schedule that governs the S213 (MD 213) Bridge across the Chester River, mile 26.8, at Chestertown, MD. This modified deviation is necessary to perform bridge maintenance. This modified deviation allows the bridge to remain in the closed-to-navigation position.

DATES: This modified deviation is effective from 6 a.m. on October 30, 2016 through 6 a.m. on November 20, 2016.

ADDRESSES: The docket for this deviation, [USCG-2016-0783] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this modified temporary deviation, call or email Mr. Michael R. Thorogood, Bridge Administration Branch Fifth District, Coast Guard, telephone 757-398-6557, email Michael.R.Thorogood@uscg.mil.

SUPPLEMENTARY INFORMATION: On August 25, 2016, the Coast Guard published a temporary deviation entitled "Drawbridge Operation Regulation; Chester River, Chestertown, MD" in the

Federal Register (81 FR 58846). Under that temporary deviation, the bridge would remain in the closed-to-navigation position from 8 p.m. on September 6, 2016 to 6 a.m. on October 30, 2016. The bridge would open for vessels on signal during the scheduled closure periods, if at least 24 hours notice were given.

The Maryland State Highway Administration, who owns and operates the S213 (MD 213) Bridge, has requested a modified temporary deviation from the currently published deviation to extend the time needed to complete the bridge painting project.

Under this modified temporary deviation, the bridge will be maintained in the closed-to-navigation position from 6 a.m. on October 30, 2016 through 6 a.m. on November 20, 2016. The bridge is a double bascule draw bridge and has a vertical clearance in the closed position of 12 feet above mean high water.

The Chester River is used by recreational vessels. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway in publishing this temporary deviation.

For the duration of the bridge maintenance, vessels will not be allowed to pass through the bridge due to placement of barges and equipment in the main navigation span. The bridge will open for vessels on signal during the scheduled closure period, if at least 24 hours notice is given. The bridge will not be able to open for emergencies and there is no immediate alternative route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transit to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 17, 2016.

Hal R. Pitts,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2016-25434 Filed 10-19-16; 8:45 am]

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