

and publish in the **Federal Register**, the schedule of maximum authorized penalties. As calculated in accordance with the amendments, the new amounts are \$110,000 for each violation, and \$16,025,000 for any related series of violations.

**DATES:** The new amounts will become effective on January 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Kacoyanis, Attorney, Office of the General Counsel, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7587; email [dkacoyanis@cpsc.gov](mailto:dkacoyanis@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** The Consumer Product Safety Improvement Act of 1990 (Improvement Act), Public Law 101-608, 104 Stat. 3110 (November 16, 1990), and the Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law 110-314, 122 Stat. 3016 (August 14, 2008), amended the Consumer Product Safety Act (CPSA), the Federal Hazardous Substances Act (FHSA), and the Flammable Fabrics Act (FFA). The Improvement Act added civil penalty authority to the FHSA and FFA, which previously contained only criminal penalties. 15 U.S.C. 1264(c) and 1194(e). The Improvement Act also increased the maximum civil penalty amounts applicable to civil penalties under the CPSA and set the same maximum amounts for the newly created FHSA and FFA civil penalties. 15 U.S.C. 2069(a)(1), 1264(c)(1) and 1194(e)(1).

The Improvement Act directed the Commission to adjust the maximum civil penalty amounts periodically for inflation:

(A) The maximum penalty amounts authorized in paragraph (1) shall be adjusted for inflation as provided in this paragraph.

(B) Not later than December 1, 1994, and December 1 of each fifth calendar year thereafter, the Commission shall prescribe and publish in the **Federal Register** a schedule of maximum authorized penalties that shall apply for violations that occur after January 1 of the year immediately following such publication.

(C) The schedule of maximum authorized penalties shall be prescribed by increasing each of the amounts referred to in paragraph (1) by the cost-of-living adjustment for the preceding 5 years. Any increase determined under the preceding sentence shall be rounded to—

(i) in the case of penalties greater than \$1,000 but less than or equal to \$10,000, the nearest multiple of \$1,000;

(ii) in the case of penalties greater than \$10,000 but less than or equal to \$100,000, the nearest multiple of \$5,000;

(iii) in the case of penalties greater than \$100,000 but less than or equal to \$200,000, the nearest multiple of \$10,000; and

(iv) in the case of penalties greater than \$200,000, the nearest multiple of \$25,000.

(D) For purposes of this subsection:

(i) The term “Consumer Price Index” means the Consumer Price Index for all-urban consumers published by the Department of Labor.

(ii) The term “cost-of-living adjustment for the preceding five years” means the percentage by which—

(I) the Consumer Price Index for the month of June of the calendar year preceding the adjustment; exceeds

(II) the Consumer Price Index for the month of June preceding the date on which the maximum authorized penalty was last adjusted. 15 U.S.C. 2069(a)(3), 1264(c)(6), and 1194(e)(5).

The CPSIA amended the CPSA, FHSA, and FFA to increase the maximum civil penalty amounts to \$100,000 for each violation, and \$15,000,000 for any related series of violations. 15 U.S.C. 2069(a)(1), 1264(c)(1), and 1194(e)(1). The CPSIA also revised the starting date from December 1, 1994, and every fifth year thereafter, to no later than December 1, 2011, and every fifth year thereafter, as the date on which “the Commission shall prescribe and publish in the **Federal Register** a schedule of maximum authorized penalties that shall apply for violations that occur after January 1 of the year immediately following such publication.”

The Commission’s Directorate for Economics has calculated that the cost-of-living adjustment increases the maximum civil penalty amounts to \$105,722 for each violation, and to \$16,016,580 for any related series of violations. Rounding off these numbers in accordance with the statutory directions, the adjusted maximum amounts are \$110,000 for each violation, and \$16,025,000 for any related series of violations. These new amounts will apply to violations that occur after January 1, 2017.

Dated: November 18, 2016.

**Todd A. Stevenson,**  
*Secretary, Consumer Product Safety Commission.*

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**BILLING CODE 6355-01-P**

## CONSUMER PRODUCT SAFETY COMMISSION

### Conclusion of Consumer Product Safety Commission International Trade Data System Initial Test Concerning the Electronic Filing of Targeting/ Enforcement Data

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** The U.S. Consumer Product Safety Commission (Commission or CPSC) in consultation with U.S. Customs & Border Protection (CBP) previously announced a test to assess the electronic filing of certain data via the Partner Government Agency (PGA) Message Set to the CBP-authorized Electronic Data Interchange (EDI) system known as the Automated Commercial Environment (ACE). Test participants collaborated with CBP and CPSC in examining the effectiveness of the “single window” capability and assessing the concept of a data registry (the Product Registry), maintained by CPSC. CBP and CPSC have determined that the test, which the CPSC refers to as the “eFiling Alpha Pilot,” was successful, in that participating firms were able to file CPSC’s PGA Message Set data as part of an ACE entry, CPSC was able to receive the PGA Message Set data from CBP, and CPSC was able to accept the data into CPSC’s system for risk analysis. Accordingly, this document announces that the initial test, the eFiling Alpha Pilot, will conclude on December 31, 2016.

**DATES:** The CPSC test will conclude on December 31, 2016.

**ADDRESSES:** Comments on the test or concerning this notice should be submitted through electronic mail to: [efilingpilot@cpsc.gov](mailto:efilingpilot@cpsc.gov).

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the test should be directed to Jim Joholske, Deputy Director, Office of Import Surveillance, U.S. Consumer Product Safety Commission, (301) 504-7527, [efilingpilot@cpsc.gov](mailto:efilingpilot@cpsc.gov). Questions sent by electronic mail should contain the subject heading “Question re PGA Message Set Test.” For technical questions regarding ACE or ABI transmissions, or the PGA message set data transmission, please contact your assigned CBP client representative. Interested parties without an assigned client representative should submit an email to Steven Zaccaro at [steven.j.zaccaro@cbp.dhs.gov](mailto:steven.j.zaccaro@cbp.dhs.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Background

### A. *The Automated Commercial Environment*

ACE is an automated and electronic system for commercial trade processing that is intended to streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws and regulations, and reducing costs for CBP and all of its communities of interest. The Automated Broker Interface (ABI) is a software interface to ACE. Commercial trade participants who want to file entries in ACE use ABI to electronically file required import data with CBP. ABI transfers trade-submitted data into ACE. CBP has developed ACE as the “single window” for the trade community to comply with the International Trade Data System (ITDS) requirement established by the SAFE Port Act of 2006. The PGA Message Set enables additional trade-related data specified by PGAs to be entered in one location.

### B. *ITDS Goals and CBP's Authority To Conduct National Customs Automation Program Tests*

The ITDS is an electronic data interchange system whose goals include eliminating redundant information requirements, efficiently regulating the flow of commerce, and effectively enforcing laws and regulations relating to international trade by establishing a single portal system, operated by CBP, for the collection and distribution of standard electronic import and export data required by participating federal agencies. All federal agencies that require documentation for clearance or licensing the importation of cargo are required to participate in ITDS. The Customs Modernization provisions in the North American Free Trade Agreement Implementation Act provide the Commissioner of CBP with authority to conduct limited test programs or procedures designed to evaluate planned components of the National Customs Automation Program (NCAP), which includes ACE.

### C. *Test Purpose and Goal*

CPSC's PGA Message Set test, described in an August 21, 2015 **Federal Register** Notice, was developed to further ITDS and NCAP goals. 80 FR 50827 (Aug. 21, 2015) (August 2015 Test Notice). Information and feedback from the test will be used to evaluate electronic filing capability and inform the Commission in striving to improve and streamline the import process going forward. The goal of electronic filing of targeting/enforcement data is to

facilitate compliant trade as well as sharpen CPSC's focus on noncompliant trade. CPSC intends to use targeting/enforcement data to review consumer product entry requirements and allow for earlier risk-based admissibility decisions by CPSC staff. Additionally, because it is electronic, the PGA Message Set could eliminate the necessity for submission and subsequent handling of paper documents. Piloting electronic filing as a means to transition away from paper-based filing is a priority initiative of the PGAs to meet the stated “single window” implementation timeline.

## II. CPSC's PGA Message Set Test

### A. *Description of the Test*

CPSC focused this initial test on electronic filing of five targeting/enforcement data elements (CPSC data), using the PGA Message Set. The test evaluated participant's ability to electronically file targeting/enforcement data for regulated finished consumer products under CPSC's jurisdiction and three specified finished products included on the Substantial Product Hazard List established under section 15(j) of the CPSA, and CPSC's ability to accept targeting/enforcement data into CPSC's risk assessment methodology program (the RAM).

Pilot participants had a choice between two different methods to file targeting/enforcement data for products using the PGA Message Set. Participants could either: (1) File the targeting/enforcement data elements with each product at the time of entry (Full PGA Message Set), or (2) file only a reference to targeting/enforcement data stored in a Product Registry maintained by CPSC (Product Registry and Reference PGA Message Set). Participants primarily chose to file data using the Product Registry and Reference PGA Message Set, although we anticipate that several participants will file using the Full PGA Message Set before the pilot concludes. Through their broker, pilot participants submitted targeting/enforcement data through CPSC's PGA Message Set as part of an ACE entry, or ACE entry summary if both entry and entry summary were filed together. Participants filed PGA Message Set data with each applicable entry filed with CBP. To file CPSC PGA Message Set data through ACE, associated brokers successfully implemented application software updates.

Once filed in ACE, CBP made the PGA Message Set data, along with entry data, available to CPSC for validation. CPSC was able to receive PGA Message Set data from CBP, where applicable,

match a reference number with previously-filed targeting/enforcement data in the Product Registry, and to accept the enforcement/targeting data elements into CPSC's RAM. Moreover, participants that chose to use the Product Registry were able to file the requisite targeting/enforcement data into the Product Registry for specific products, and were able to successfully provide a reference number to this data using the PGA Message Set during the entry process, rather than entering all such data elements each time the product was imported.

### B. *Conclusion of the Test*

As stated in the August 2015 Test Notice, once operational, the test was expected to run for approximately six months or until concluded or extended by the issuance of a **Federal Register** notice announcing the extension or conclusion of this test. This notice announces that CPSC and CBP have determined that ACE is capable of accepting electronic targeting/enforcement data, and electronic Product Registry reference information, through CPSC's PGA Message Set. CPSC is capable of receiving PGA Message Set data, matching reference data to previously-filed targeting/enforcement data in the Product Registry, and accepting targeting/enforcement data and entry data into CPSC's RAM program for further risk evaluation. CPSC also determined that participants are able to enter the requisite targeting/enforcement data elements for each product into a Product Registry, receive a reference number, and file such reference number in CPSC's PGA Message Set each time the product is referenced in an ACE entry. Having found the eFiling Alpha Pilot to be successful, CPSC and CBP are concluding the test effective December 31, 2016.

Upon the date the test concludes, trade members will no longer be authorized to file CPSC data in ACE. CBP will undertake efforts to reject or prevent the filing of CPSC data in ACE.

## III. Next Steps for CPSC's PGA Message Set Testing

After the conclusion of the test, CPSC will provide a forum to consider what CPSC staff and participants learned from the eFiling Alpha Pilot and how best to structure a more robust “beta” test of electronic filing. Based on the review of the eFiling Alpha Pilot, CPSC staff will provide options regarding a “beta” testing phase for Commission consideration.

Dated: November 17, 2016.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

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**BILLING CODE 6355-01-P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Notice of Intent To Grant a Partially Exclusive Patent License

**AGENCY:** Air Force Materiel Command.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the Bayh-Dole Act and implementing regulations, the Department of the Air Force hereby gives notice of its intent to grant a partially exclusive (exclusive with respect to the field of fluid separation and filtration) patent license agreement to InfiniPure LLC., a corporation of the State of Ohio, having a place of business at 714 Monument Ave, Dayton, OH 45402.

**DATES:** Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this Notice.

**ADDRESSES:** Submit written objections to the Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Room 260, Wright-Patterson AFB, OH 45433-7109; Facsimile: (937) 255-3733; or Email: [afmclo.jaz.tech@us.af.mil](mailto:afmclo.jaz.tech@us.af.mil). Include Docket No. ARQ-161114B-PL in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Rm 260, Wright-Patterson AFB, OH 45433-7109; Facsimile: (937) 255-3733; Email: [afmclo.jaz.tech@us.af.mil](mailto:afmclo.jaz.tech@us.af.mil).

**SUPPLEMENTARY INFORMATION:** The Department of the Air Force intends to grant the partially exclusive patent license agreement for the invention described in:

U.S. Patent No. 8,293,107, entitled, "Fibers With Axial Capillary Slit That Enhances Adsorption, Absorption and Separation," filed 11 January 2010, and issued 23 October 2012.

**Authority:** 35 U.S.C. 209; 37 CFR 404.

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and

received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

**Henry Williams,**

*Acting Air Force Federal Register Liaison Officer.*

[FR Doc. 2016-28202 Filed 11-22-16; 8:45 am]

**BILLING CODE 5001-10-P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Board of Visitors of the U.S. Air Force Academy Notice of Meeting

**AGENCY:** U.S. Air Force Academy Board of Visitors, Department of Defense.

**ACTION:** Meeting notice.

**SUMMARY:** In accordance with 10 U.S.C. Section 9355, the U.S. Air Force Academy (USAFA) Board of Visitors (BoV) will hold a meeting on the Senate Side, Capitol Visitor Center, Room 212-10, Washington, DC on Thursday, December 8, 2016. The meeting will begin at 0830 and conclude at 1515. The purpose of this meeting is to review morale and discipline, social climate, curriculum, instruction, infrastructure, fiscal affairs, academic methods, strategic communication, and other matters relating to the Academy. Specific topics for this meeting include a Superintendent's Update; Dean's Update; Athletic Department Update; BoV update. Public attendance at this USAFA BoV meeting shall be accommodated on a first-come, first-served basis up to the reasonable and safe capacity of the meeting room. In addition, any member of the public wishing to provide input to the USAFA BoV should submit a written statement in accordance with 41 CFR Section 102-3.140(c) and section 10(a)(3) of the Federal Advisory Committee Act and the procedures described in this paragraph. Written statements must address the following details: The issue, discussion, and a recommended course of action. Supporting documentation may also be included as needed to establish the appropriate historical context and provide any necessary background information. Written statements can be submitted to the Designated Federal Officer (DFO) at the Air Force address detailed below at any time. However, if a written statement is not received at least 10 calendar days before the first day of the meeting which is the subject of this notice, then it may not be provided to or considered by the BoV until its next open meeting. The

DFO will review all timely submissions with the BoV Chairman and ensure they are provided to members of the BoV before the meeting that is the subject of this notice. If after review of timely submitted written comments and the BoV Chairman and DFO deem appropriate, they may choose to invite the submitter of the written comments to orally present the issue during an open portion of the BoV meeting that is the subject of this notice. Members of the BoV may also petition the Chairman to allow specific personnel to make oral presentations before the BoV. In accordance with 41 CFR Section 102-3.140(d), any oral presentations before the BoV shall be in accordance with agency guidelines provided pursuant to a written invitation and this paragraph. Direct questioning of BoV members or meeting participants by the public is not permitted except with the approval of the DFO and Chairman. For the benefit of the public, rosters that list the names of BoV members and any releasable materials presented during the open portions of this BoV meeting shall be made available upon request.

**Contact Information:** For additional information or to attend this BoV meeting, contact Major James Kuchta, Accessions and Training Division, AF/A1PT, 1040 Air Force Pentagon, Washington, DC 20330, (703) 695-4066, [James.L.Kuchta.mil@mail.mil](mailto:James.L.Kuchta.mil@mail.mil).

**Henry Williams,**

*Acting Air Force Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement for Modification of the Bayou Lafourche and Lafourche-Jump Waterway, Louisiana, Navigation Channel Project in Lafourche Parish

**AGENCY:** U.S. Army Corps of Engineers, Department of the Army, DOD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (Corps), New Orleans District will be the lead agency for a draft Environmental Impact Statement (DEIS), to be integrated with a Feasibility Report (FR), for the Bayou Lafourche and Lafourche-Jump Waterway, Louisiana Project, in Lafourche Parish. The FR and DEIS will investigate channel modification to the Bayou