

Lifeline subscribers the resulting amount.

\* \* \* \* \*

■ 3. Amend § 54.410 by revising paragraphs (b)(2)(ii), (c)(2)(ii), and (e) to read as follows:

**§ 54.410 Subscriber eligibility determination and certification.**

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) If a state Lifeline administrator or other state agency is responsible for the initial determination of a subscriber's eligibility, a copy of the subscriber's certification that complies with the requirements set forth in paragraph (d) of this section.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(ii) If a state Lifeline administrator or other state agency is responsible for the initial determination of a subscriber's eligibility, a copy of the subscriber's certification that complies with the requirements set forth in paragraph (d) of this section.

\* \* \* \* \*

(e) State Lifeline administrators or other state agencies that are responsible for the initial determination of a subscriber's eligibility for Lifeline must provide each eligible telecommunications carrier with a copy of each of the certification forms collected by the state Lifeline administrator or other state agency for that carrier's subscribers.

\* \* \* \* \*

**§ 54.411 [Removed and Reserved]**

■ 4. Remove and reserve § 54.411.

■ 5. Revise § 54.413 to read as follows:

**§ 54.413 Link Up for rural Tribal lands.**

(a) For purposes of this subpart, the term "Tribal Link Up" means an assistance program for eligible residents of Tribal lands, if the subscriber's location is rural, as defined in § 54.505(b)(3)(i) and (ii), seeking telecommunications service from a telecommunications carrier that is receiving high-cost support on rural Tribal lands, pursuant to subpart D of this part, that provides:

(1) A 100 percent reduction, up to \$100, of the customary charge for commencing telecommunications service for a single telecommunications connection at a subscriber's principal place of residence imposed by an eligible telecommunications carrier that is also receiving high-cost support on rural Tribal lands, pursuant to subpart D of this part. For purposes of this

subpart, a "customary charge for commencing telecommunications service" is the ordinary charge an eligible telecommunications carrier imposes and collects from all subscribers to initiate service with that eligible telecommunications carrier. A charge imposed only on qualifying low-income consumers to initiate service is not a customary charge for commencing telecommunications service. Activation charges routinely waived, reduced, or eliminated with the purchase of additional products, services, or minutes are not customary charges eligible for universal service support; and

(2) A deferred schedule of payments of the customary charge for commencing telecommunications service for a single telecommunications connection at a subscriber's principal place of residence imposed by an eligible telecommunications carrier that is also receiving high-cost support on rural Tribal lands, pursuant to subpart D of this part, for which the eligible resident of rural Tribal lands does not pay interest. The interest charges not assessed to the eligible resident of rural Tribal lands shall be for a customary charge for connecting the telecommunications service of up to \$200 and such interest charges shall be deferred for a period not to exceed one year.

(b) An eligible resident of rural Tribal lands may receive the benefit of the Tribal Link Up program for a second or subsequent time only for otherwise qualifying commencement of telecommunications service at a principal place of residence with an address different from the address for which Tribal Link Up assistance was provided previously.

■ 5. Amend § 54.414 by revising paragraph (b) to read as follows:

**§ 54.414 Reimbursement for Tribal Link Up.**

\* \* \* \* \*

(b) In order to receive universal support reimbursement for providing Tribal Link Up, eligible telecommunications carriers must use the maps made available by the Administrator to determine an eligible resident of rural Tribal lands' initial eligibility for Tribal Link Up. Eligible telecommunications carriers must obtain a certification form from each eligible resident of Tribal lands that complies with § 54.410 prior to enrolling him or her in Tribal Link Up.

\* \* \* \* \*

[FR Doc. 2018-00152 Filed 1-12-18; 8:45 am]

BILLING CODE 6712-01-P

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

[Docket No. FWS-HQ-ES-2017-0081; 4500090024]

RIN 1018-BC54

**Endangered and Threatened Wildlife and Plants; Taxonomical Update for Orangutan**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Direct final rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the revised taxonomy of the orangutan under the Endangered Species Act of 1973, as amended (Act). When we listed the orangutan in 1970, the listed entity included all orangutans in the genus *Pongo*. At that time, the scientific community recognized one species (*Pongo pygmaeus*) in the genus *Pongo*, which consisted of two subspecies (*P. pygmaeus pygmaeus* and *P. p. abelii*). However, the orangutan has recently been reclassified as belonging to two distinct species: *P. pygmaeus* and *P. abelii*. Therefore, we are revising the List of Endangered and Threatened Wildlife to reflect the current scientifically accepted taxonomy and nomenclature of the orangutan. Because all orangutans in the genus *Pongo* are already included under the original listing of *Pongo pygmaeus* as endangered under the Act, the newly recognized taxonomic species is considered part of the original listed entity, and this technical correction does not alter the regulatory protections afforded to the orangutan. For the same reason, if other *Pongo* species emerge due to future taxonomic revisions to further subdivide the genus *Pongo*, they would be encompassed by the original listing and this technical correction.

**DATES:** This rule is effective April 16, 2018 without further action, unless we receive significant scientific information that provides strong justifications as to why this rule should not be adopted or why it should be changed on or before February 15, 2018. If we receive significant scientific information regarding this taxonomic change for the orangutan, we will publish a timely withdrawal of this rule in the **Federal Register**.

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

- **Electronically:** Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box,

enter FWS–HQ–ES–2017–0081, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, you may submit a comment by clicking on “Comment Now!”

- *By hard copy:* Submit comments by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–HQ–ES–2017–0081; Division of Policy, Performance, and Management Programs; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, MS: BPHC; Falls Church, VA 22041–3803.

See Public Comments, below, for more information about submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Janine Van Norman, Chief, Branch of Foreign Species, Ecological Services Program, U.S. Fish and Wildlife Service; MS: ES, 5275 Leesburg Pike, Falls Church, VA 22041–3803; telephone, 703–358–2171. If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service at 800–877–8339.

#### SUPPLEMENTARY INFORMATION:

##### Public Comments

You may submit your comments and materials regarding this direct final rule by one of the methods listed in **ADDRESSES**. Please include sufficient information with your comments to allow us to verify any scientific or commercial information you include. We will not consider comments sent by email or fax, or to an address not listed in **ADDRESSES**.

We will post all comments on <http://www.regulations.gov>. Before including your address, phone number, email address, or other personal information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comments and materials we receive, as well as supporting documentation we used in preparing this direct final rule, will be available for public inspection on the internet at <http://www.regulations.gov>. Please note that comments posted to <http://www.regulations.gov> are not immediately viewable. When you submit a comment, the system receives it immediately. However, the comment will not be publicly viewable until we post it, which might not occur until several days after the submission. Information regarding this rule is

available in alternative formats upon request (see **FOR FURTHER INFORMATION CONTACT**).

#### Previous Federal Actions

In a final rule published in the **Federal Register** on June 2, 1970 (35 FR 8491), we listed the orangutan (*Pongo pygmaeus*) under the Act’s precursor, the Endangered Species Conservation Act of 1969 (Pub. L. 91–135), as an endangered species, and since then, the species has remained listed as an endangered species under the Act (16 U.S.C. 1531 *et seq.*).

#### This Rule

##### Background

We are directed by title 50 of the Code of Federal Regulations (CFR) at §§ 17.11(c) and 17.12(b) (50 CFR 17.11(c) and 17.12(b)) to use the most recently accepted scientific name of any wildlife or plant species, respectively, that we have determined to be an endangered or threatened species.

##### Taxonomy

Orangutans were historically classified as one species with two subspecies, *Pongo pygmaeus pygmaeus* and *P. p. abelii*. In accordance with taxonomic classifications at the time, we listed the orangutan in 1970, recognizing one species of orangutan (*Pongo pygmaeus*) as the listed entity occurring in Indonesia, Malaysia, and Brunei (35 FR 8491; June 2, 1970). However, the orangutan, currently only found in northern Sumatra (Indonesia) and Borneo (Indonesia and Malaysia), has recently been reclassified as belonging to two distinct species: *P. pygmaeus*, which occurs in Borneo (Malaysia and Indonesia), and *P. abelii*, which occurs in northern Sumatra (Indonesia) (Groves, in WWF Orangutan Action Plan, 1999, p. 27; Singleton *et al.* 2016, p. 3; Singleton *et al.* 2004, p. 181; Xu and Arnason 1996, p. 435; Brandon-Jones *et al.* 2004, pp. 153–155; Zhang *et al.* 2001, pp. 522–525). Additionally, orangutans in Borneo (*P. pygmaeus*) are now recognized to contain three subspecies (*P. pygmaeus pygmaeus*, *P. p. wurmbii*, and *P. p. morio*) (Brandon-Jones *et al.* 2004, pp. 181, 193).

While some scientists question the data and effectiveness of elevating Sumatran and Bornean orangutans to full species (Muir 1998, p. 378; Muir *et al.* 2000, pp. 476–479), species-level classification was advocated jointly in April 2000, by Conservation International, the International Union for the Conservation of Nature Species Survival Commission’s Primate Specialist Group, and the Center for

Environmental Research and Conservation (Orangutan Species Survival Plan 2015). The newer classification recognizing two distinct species is widely accepted today by most experts based on genetic and morphological data (Singleton *et al.* 2016, p. 3; Ancrenaz *et al.* 2016, p. 3).

The entity that resides closest to Brunei is a subspecies of *P. pygmaeus*. Individual orangutans in Brunei are described as transient, and no permanent populations have been reported there (World Atlas of Great Apes and Their Conservation 2005, p. 427; Orangutan Foundation International 2017, no pagination).

##### Taxonomic Corrections Made in This Rule

All orangutan populations are encompassed by the previous listed entity, *Pongo pygmaeus*. Using the best available scientific information, this direct final rule documents the reclassification of the orangutan as two distinct species, *Pongo pygmaeus* and *Pongo abelii*, on the List of Endangered and Threatened Wildlife (50 CFR 17.11(h)). This change is supported by published studies in peer-reviewed journals, and it does not affect the range or endangered status of the orangutan. If other *Pongo* species emerge due to future taxonomic revisions to further subdivide the genus *Pongo*, they would be encompassed by the original listing and this technical correction.

##### Use of Direct Final Rule

The purpose of this direct final rule is to notify the public that we are revising the List of Endangered and Threatened Wildlife at 50 CFR 17.11(h) to reflect the scientifically accepted taxonomy and nomenclature of the orangutan. In accordance with 50 CFR 17.11(c), we are revising the taxonomy of the orangutan to reflect the reclassification of the previously listed entity into two distinct species, acknowledging both *Pongo pygmaeus* and *P. abelii* as endangered species under the Act.

We are publishing this final rule without a prior proposal because this is a technical action that is in the best interest of the public and should be undertaken in as timely a manner as possible. It does not alter the regulatory protections afforded to the orangutan but is a taxonomic revision necessary to acknowledge that both *Pongo pygmaeus* and *Pongo abelii* retain endangered status under the Act.

This rule will be effective, as published in this document, on the effective date specified in **DATES**, unless we receive significant scientific

information that provides strong justifications as to why this rule should not be adopted or why it should be changed on or before the comment due date specified in **DATES**.

If we receive comments containing significant scientific information that provides strong justifications as to why this rule should not be adopted or why it should be changed regarding the taxonomic change for the orangutan, we will publish a document in the **Federal Register** withdrawing this rule before the effective date. If the rule is withdrawn, we may publish a proposed rule to initiate promulgation of this taxonomic revision or we may end the rulemaking process.

**Required Determinations**

*National Environmental Policy Act*

We have determined that environmental assessments and environmental impact statements, as defined under the authority of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), need not be prepared in connection with regulations issued pursuant to section 4(a) of the Act. We published a notice outlining our reasons for this

determination in the **Federal Register** on October 25, 1983 (43 FR 49244).

*Clarity of the Rule*

We are required by Executive Orders 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

- (a) Be logically organized;
- (b) Use the active voice to address readers directly;
- (c) Use clear language rather than jargon;
- (d) Be divided into short sections and sentences; and
- (e) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in **ADDRESSES**. To help us to revise this rule, your comments should be as specific as possible.

**List of References Cited**

A list of the references cited in this direct final rule is provided in Docket No. FWS-HQ-ES-2017-0081 at <http://www.regulations.gov>.

**List of Subjects in 50 CFR Part 17**

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

**Regulation Promulgation**

Accordingly, we hereby amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

**PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

- 1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

- 2. Amend § 17.11(h) by adding an entry for “Orangutan” [*Pongo abelii*] in alphabetical order by common and scientific name and revising the entry for “Orangutan” [*Pongo pygmaeus*] under MAMMALS to read as follows:

**§ 17.11 Endangered and threatened wildlife.**

\* \* \* \* \*  
(h) \* \* \*

Common name	Scientific name	Where listed	Status	Listing citations and applicable rules
MAMMALS				
*	*	*	*	*
Orangutan .....	<i>Pongo abelii</i> .....	Wherever found .....	E	35 FR 8491, 6/2/1970; 83 FR [ <i>Insert Federal Register page where the document begins</i> ], 1/16/2018.
Orangutan .....	<i>Pongo pygmaeus</i> .....	Wherever found .....	E	35 FR 8491, 6/2/1970; 83 FR [ <i>Insert Federal Register page where the document begins</i> ], 1/16/2018.
*	*	*	*	*

Dated: December 13, 2017.

**James W. Kurth,**

*Deputy Director, U.S. Fish and Wildlife Service, exercising the authority of the Director, U.S. Fish and Wildlife Service.*

[FR Doc. 2018-00610 Filed 1-12-18; 8:45 am]

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