

Advanced Media Workflow Association, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Rhode & Schwartz GmbH & Co. KG., Munich, GERMANY, has been added as a party to this venture.

Also, Telstra, Melbourne, AUSTRALIA; Suitcase TV, Ipswich, UNITED KINGDOM; and Philip Soares (individual member), Bellevue, WA, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Advanced Media Workflow Association, Inc. intends to file additional written notifications disclosing all changes in membership.

On March 28, 2000, Advanced Media Workflow Association, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 29, 2000 (65 FR 40127).

The last notification was filed with the Department on September 13, 2019. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on October 17, 2019 (84 FR 55585).

**Suzanne Morris**,  
Chief, Premerger and Division Statistics Unit,  
Antitrust Division.

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**DEPARTMENT OF JUSTICE**

**Federal Bureau of Investigation**

[Docket No. FBI-155]

**Federal Bureau of Investigation;  
Records Management Division;  
National Name Check Program  
Section; Revised User Fee**

**AGENCY:** Federal Bureau of Investigation (FBI), Justice.

**ACTION:** Notice.

**SUMMARY:** This notice establishes a revised user fee for federal agencies requesting name-based, non-criminal justice background checks of the Federal Bureau of Investigation's (FBI) Central Records System through the National Name Check Program (NNCP). The total

resource costs associated with providing these name check services have been calculated to ensure full reimbursement to the FBI. The FBI is also authorized to charge an additional amount to defray expenses required to update and improve the NNCP's technological infrastructure, which supports the automation of processes involving name-based background checks. This notice explains the methodology used to calculate revised fees and also provides the new fee schedule. The NNCP is replacing its current multiple fee structure with a single user fee.

**DATES:** This fee schedule is effective February 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Mr. Antony A. Jung, Section Chief, National Name Check Program Section, Records Management Division, FBI, 170 Marcel Drive, Winchester, Virginia 22602.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On June 7, 2010, the FBI published the Final Rule (75 FR 24796) setting forth the FBI Director's authority to establish and collect fees for providing name-based background checks conducted by the NNCP of the Records Management Division. The Final Rule explains the methodology used to calculate the fees and provides that future fee adjustments will be made by notice published in the **Federal Register**. In accordance with the requirements of 28 CFR 20.31(e)(3), the FBI is required to periodically review the amount it collects for the NNCP in order to determine the current cost of processing name checks for non-criminal justice purposes.

**II. Revised Fee**

In October of 2018, the FBI retained a contractor to conduct an independent user fee study for the NNCP. The NNCP currently charges different fees, depending on whether the request is submitted manually or electronically or if expedited processing is required. The fee charged for electronic submissions also varies depending on the level of analysis that the NNCP must perform. The current fee structure is as follows:

**NNCP'S CURRENT USER FEE SCHEDULE**

| Service                     | Current fee |
|-----------------------------|-------------|
| Electronic Submission:      |             |
| Batch Process Only .....    | \$2.50      |
| Batch + File Analysis ..... | 42.00       |
| Manual Submission .....     | 66.50       |
| Expedited Submission .....  | 66.50       |

As a result of the fee study, the contractor recommended that the FBI combine the current fee categories, which have been in effect since 2010, into a single fee. This recommendation was based on three factors:

- **Improvement in information technology capabilities:** The NNCP's new web interface enables all customers to submit name checks electronically with options to adjust their priority. The technology advancements have resulted in the elimination of the Manual submission type and have so drastically reduced the number of expedited submissions that they no longer warrant their own fee categories.

- **Lack of customer choice:** Under the existing fee schedule, NNCP customers do not choose between an Electronic or File Analysis level of service and the associated fee. Rather, NNCP performs an electronic name-based background check on all requests. If the automated search algorithm identifies the presence of a record, then NNCP's analysts conduct file analysis and the program charges an additional fee. While every name check request begins with an Electronic Batch level of service, approximately 40% also require an additional File Analysis level of service, which comes with the additional fee. Neither the customer nor NNCP know which level of service will be required until after the customer has submitted the name check request and NNCP has completed its services. This lack of certainty has rendered it challenging for customers to budget for name check services. The new, single fee will provide customers with more certainty as to how much they will owe based on their estimated volume of name check requests each year.

- **Less administrative burden:** A single fee reduces the administrative burden associated with the billing and collections of multiple fee categories and simplifies the budgeting process.

*Information Used To Calculate the Revised Fee*

Using Fiscal Year (FY) 2018 cost information, the FBI conducted a fee study to determine its cost for conducting name-based background checks. Once that study was complete, the FBI conducted further analysis to account for anticipated programmatic changes and staffing levels moving forward in FY 2020, as well as forecasted production volumes to determine future automation and enhancement costs. The FBI used these inputs to project total costs for name-based, non-criminal justice name checks for FY 2020. The single fee structure simplifies this calculation by dividing

total costs by total volume to arrive at a single fee for each name check request.

|  |                           |
|--|---------------------------|
| Product/service  | FY 2020 volume forecast   |
| FBI Investigative Files Check                              | 3,313,844                 |
| Cost pool  | Forecasted FY 2020 cost   |
| Cost of Name-Based Checks Automation and Enhancement ..... | \$63,225,188<br>6,414,111 |
| Total .....  | \$69,639,299              |

Unit costs (cost pool divided by volume) and the corresponding fee rate are rounded up to the nearest \$0.25 increment.

|  |                 |
|--|-----------------|
| Cost pool categories                                       | Unit rate       |
| Cost of Name-Based Checks Automation and Enhancement ..... | \$19.25<br>2.00 |
| FBI Investigative Files Check                              | 21.25           |

This revised fee, of \$21.25 per check, will become effective on February 1, 2020.

Dated: December 19, 2019.

**Christopher A. Wray,**

*Director, Federal Bureau of Investigation.*

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**BILLING CODE 4410-02-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Plan Asset Transactions Determined by Independent Qualified Professional Asset Managers Under Prohibited Transaction Exemption 1984-14

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employee Benefits Security Administration (EBSA) sponsored information collection request (ICR) titled, "Plan Asset Transactions Determined by Independent Qualified Professional Asset Managers under Prohibited Transaction Exemption 1984-14," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before January 29, 2020.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201909-1210-007](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201909-1210-007) (this link will only become active on the day following publication of this notice) or by contacting Frederick Licari by telephone at 202-693-8073, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-EBSA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Frederick Licari by telephone at 202-693-8073, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** This ICR seeks to extend PRA authority for the Plan Asset Transactions Determined by Independent Qualified Professional Asset Managers under Prohibited Transaction Exemption 1984-14 information collection. PTE 84-14, a class exemption that permits various parties that are related to employee benefit plans to engage in transactions involving plan assets if, among other conditions, the assets are managed by "qualified professional asset managers" (QPAMs) that are independent of the parties in interest and which meet specified financial standards. The exemption provides additional exemptive relief for employers to furnish limited amounts of goods and services to a managed fund in the ordinary course of business. Limited relief also is provided for leases of office or commercial space between managed funds and QPAMs or contributing employers. Finally, relief is provided for

transactions involving places of public accommodation owned by a managed fund. QPAMs are permitted to manage an investment fund containing the assets of the QPAM's own plan or an affiliate's plan.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1210-0128.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on December 31, 2019. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 27, 2019 (84 FR 11573).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty-(30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1210-0128. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the