

Recommendation

General Considerations

1. In creating or modifying user fees, Congress or agencies, as appropriate, should identify the purpose(s) of an agency's user fee program, such as shifting the costs of a program from taxpayers to those persons or entities whom the program benefits, supplementing general revenue, or incentivizing or discouraging certain behavior. Congress or agencies also should consider whether or not there are reasons for waivers, exemptions, or reduced rates.

2. When establishing a user fee-funded program, especially one with a novel fee structure and one that collects fees from regulated entities, Congress or agencies, as appropriate, should consider whether any feature of the program might inappropriately affect or be perceived as inappropriately affecting agency decision making and whether any steps should be taken to mitigate those effects.

3. Congress or agencies, as appropriate, should consider whether a user fee may have a negative or beneficial effect on the behavior of individuals and entities subject to that fee. Congress or agencies also should consider whether the user fee might have other public benefits, such as promoting equity, reducing barriers to market entry, incentivizing desirable behavior, or producing some other socially beneficial outcome, or might have other public costs. Congress or agencies, as appropriate, should set forth procedures for waiving or reducing user fees that would cause undue hardship for low-income individuals, members of historically underserved communities, small businesses, and other small entities.

4. Congress or agencies, as appropriate, should ensure user fees are not disproportionate in relation to government costs or to the benefits that users receive.

Considerations for Congress

5. When Congress enacts a specific statute, separate from the Independent Offices Appropriations Act, authorizing an agency to collect user fees, it should specify, as applicable:

a. *The manner for setting fee levels.* Congress should either determine the amount of the fee, with or without adjustment for inflation, set a formula for calculating it, or alternatively give the agency discretion to determine the appropriate fee (e.g., to achieve a particular purpose or to recover some or all of the costs of providing a good or service or administering a program);

b. *Any circumstances in which the agency may or must charge a fee or, conversely, may or must waive or reduce the fee amount.* Congress should determine whether it is appropriate to reduce or eliminate fees for certain individuals or entities to promote equity, reduce barriers to market entry, incentivize desirable behavior, or produce some other socially beneficial outcome;

c. *Any required minimum process for setting or modifying fees,* either through the notice-and-comment rulemaking process set forth in 5 U.S.C. 553 or an alternative process, including requirements for public engagement;

d. *Any authorizations, limitations, or prescriptions pertaining to the manner in which the agency may collect fees;*

e. *Any required process for enforcing the obligation to pay user fees and any penalties for failure to pay required fees, including interest (specifying rates);*

f. *The availability of collected fees.* Congress should determine whether or not the fees collected by the agency should be deposited in the U.S. Treasury, consistent with the Miscellaneous Receipts Act, 31 U.S.C. 3302, and made available to the agency only after appropriation;

g. *The period during which the agency may expend collected fees.* Should Congress determine that, for reasons of revenue stability, collected fees should remain available to the agency, it should consider, for reasons of oversight, whether they should only be available for a limited period or subject to other requirements or limitations;

h. *Any authorizations or prescriptions for the uses for which the agency may expend collected fees;*

i. *Any requirement that the agency periodically review its user fees and any required method(s) for doing so (e.g., comparing fee amounts with corresponding costs or recalculating fees based on new developments and information); and*

j. *Whether the authority granted under the statute sunsets.*

6. Whenever Congress decides to create a new statutory user fee program, it should reach out to relevant agencies for technical assistance early in the legislative drafting process and it should consider input from interested persons.

7. Congress should maintain oversight of agencies that operate user fee programs, such as through the appropriations process or authorizing legislation that specifies the purpose, time, and availability for money collected through user fee programs.

Considerations for Agencies

8. When an agency establishes a new user fee program or sets fees under an existing program, it should follow the rulemaking requirements of 5 U.S.C. 553 unless Congress has specified otherwise. In engaging with interested members of the public, agencies should follow the best practices suggested in Recommendations 2018–7, *Public Engagement in Rulemaking*, 2021–3, *Early Input on Regulatory Alternatives*, and 2023–2, *Virtual Public Engagement in Agency Rulemaking*.

9. Agencies should communicate clearly to the public the purpose(s) of their user fee programs, the nature of the fee setting process, and the uses for which the agency expends collected fees. Agencies also should be transparent with and engage the public when conducting activities that may affect the design of their user fee programs or the level of their fees, for instance by inviting public participation at early stages such as during cost and demand forecasting and budget formulation.

10. Agencies should maintain an easy-to-find page on their websites describing their user fee-funded programs, identifying and explaining the fees, describing any waivers or exemptions available, identifying the uses for

which the agency expends collected fees, and providing links to supporting resources, such as the governing sections of the *United States Code* and the *Code of Federal Regulations*, and recent notices in the **Federal Register**.

11. Agencies should conduct regular reviews, consistent with Recommendation 2021–2, *Periodic Retrospective Review*, of their user fee programs to ensure the programs are meeting their purposes and that the fee levels are appropriate. Agencies also should assess other resulting consequences or effects of the programs, such as those described in Paragraphs 2, 3, and 4.

[FR Doc. 2024–00302 Filed 1–9–24; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2023–0081]

Importation of Fresh Rhizomes of Turmeric (*Curcuma longa* L.) for Consumption From Mexico Into the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that we have prepared a pest risk analysis that evaluates the risks associated with importation of fresh rhizomes of turmeric (*Curcuma longa* L.) for consumption from Mexico into the United States. Based on the analysis, we have determined that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh rhizomes of turmeric from Mexico. We are making the pest risk analysis available to the public for review and comment.

DATES: We will consider all comments that we receive on or before March 11, 2024.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov. Enter APHIS–2023–0081 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2023–0081, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at www.regulations.gov

or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. Marc Phillips, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737-1231; phone: (301) 851-2114; email: marc.phillips@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in “Subpart L—Fruits and Vegetables” (7 CFR 319.56–1 through 319.56–12, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into or disseminated within the United States.

Section 319.56–4 contains a performance-based process for approving the importation of fruits and vegetables that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the five designated phytosanitary measures listed in paragraph (b) of that section.

APHIS received a request from the national plant protection organization (NPPO) of Mexico to allow the importation of fresh rhizomes of turmeric (*Curcuma longa* L.) for consumption from Mexico into the United States. As part of our evaluation of Mexico’s request, we have prepared a pest risk assessment to identify the pests of quarantine significance that could follow the pathway of the importation of fresh rhizomes of turmeric (*Curcuma longa* L.) for consumption from Mexico into the United States. Based on the pest risk assessment, a risk management document (RMD) was prepared to identify phytosanitary measures that could be applied to the fresh rhizomes of turmeric to mitigate the pest risk.

Therefore, in accordance with § 319.56–4(c), we are announcing the availability of our pest risk assessment and RMD for public review and comment. Those documents, as well as a description of the economic considerations associated with the importation of fresh rhizomes of turmeric from Mexico, may be viewed on the *Regulations.gov* website or in our

reading room (see **ADDRESSES** above for a link to *Regulations.gov* and information on the location and hours of the reading room). You may request paper copies of the pest risk assessment and RMD by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the analysis you wish to review when requesting copies.

After reviewing any comments that we receive, we will announce our decision regarding the import status of fresh rhizomes of turmeric from Mexico in a subsequent notice. If the overall conclusions of our analysis and the Administrator’s determination of risk remain unchanged following our consideration of the comments, then we will authorize the importation of fresh rhizomes of turmeric from Mexico into the United States subject to the requirements specified in the RMD.

Authority: 7 U.S.C. 1633, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 4th day of January 2024.

Donna Lalli,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2024–00267 Filed 1–9–24; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Region 5 and Region 6; California, Oregon, and Washington; Forest Plan Amendment for Planning and Management of Northwest Forests Within the Range of the Northern Spotted Owl; Correction

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice; correction.

The Office of the Federal Register published a correction in the **Federal Register** of January 2, 2024, which corrected the date in notice document 2023–27742 [88 FR 87393] from January 29, 2024, to February 1, 2024, as the due date for comments to be received. However, the due date needs to match the date sent out in the associated scoping letters to the public and tribes, a date which was set to coordinate with the closing date of the national old growth amendment Notice of Intent.

Correction

In the **Federal Register** of December 18, 2023, in FR Doc. 2023–27742, on page 87393, in the second column toward the end under **DATES**, is listed “Comments concerning the scope of the analysis are most valuable to the Forest

Service if received by January 29, 2024.” In the **Federal Register** of January 2, 2024, in FR Doc. C1–2023–27742, on page 43, in the first column, January 29, 2024, is corrected to February 1, 2024.

The **DATES** caption should read instead:

DATES: Comments concerning the scope of the analysis are most valuable to the Forest Service if received by February 2, 2024.

Dated: January 4, 2024.

Jacqueline Emanuel,

Associate Deputy Chief, National Forest System.

[FR Doc. 2024–00311 Filed 1–9–24; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Forest Service Manual 2300—Recreation, Wilderness, and Related Resource Management, Chapter 2350—Trail, River, and Similar Recreation Opportunities, Section 2355—Climbing Opportunities; Extension of Comment Period

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of availability for public comment; extension of comment period.

SUMMARY: The Forest Service (Forest Service or Agency) published a notice in the **Federal Register** on November 17, 2023, initiating a 60-day comment period on the proposed directive Forest Service Manual 2300—Recreation, Wilderness, and Related Resource Management, chapter 2350—Trail, River, and Similar Recreation Opportunities, section 2355, Climbing Opportunities. The closing date of the original notice is scheduled for January 16, 2024. The Agency is extending the comment period for an additional 14 days from the previous closing date.

DATES: The comment period for the notice published November 17, 2023, at 88 FR 80269, is extended. Comments must be received in writing by January 30, 2024.

ADDRESSES: Comments may be submitted electronically to <https://cara.fs2c.usda.gov/Public/CommentInput?project=ORMS-3524>. Written comments may be mailed to Peter Mali, National Wilderness Program Manager, 1400 Independence Avenue SW, Washington, DC 20250–1124. All timely comments, including names and addresses, will be placed in the record and will be available for public inspection and copying. The public may inspect comments received