

thereupon enter a determination of forfeiture and order such contraband sold or destroyed forthwith.

Section 38 Disposition of Proceeds. The gross proceeds collected by the Commission from licensing shall be distributed as follows:

(a) First, to the Commission for the payment of all necessary personnel, administrative costs, and legal fees for the administration of the provisions of this Code; and

(b) Second, to the Tribe any remainder.

Section 39 Appeals. Appeals under this Code may only be brought in the Pokagon Band Tribal Court by an Applicant or a Licensee to:

(a) Challenge a final Gaming Commission decision to deny a License, to deny an application to renew or transfer a License, or to revoke a License; or

(b) to compel a Gaming Commission decision or action unreasonably delayed or unlawfully withheld more than sixty (60) days beyond any mandatory time limit established by law.

The Tribal Court shall hold unlawful and set aside any Gaming Commission decision it finds to be arbitrary, not in accordance with law, in excess of statutory authority, or unsupported by substantial evidence in the record. The Tribal Court shall give deference to the Gaming Commission's reasonable interpretations of this Code and any rules or regulations promulgated hereunder.

Section 40 License Not a Property Right. Notwithstanding any other provision of this Code, a License is a mere permit for a fixed duration of time. A License shall not be deemed a property right or vested right of any kind, nor shall the granting of a License give rise to a presumption of legal entitlement to the granting of such License for a subsequent time period.

Section 41 Savings Clause. In the event any provision of this Code shall be found or declared to be invalid by a court of competent jurisdiction, all of the remaining provisions of this Code shall be unaffected and shall remain in full force and effect.

Section 42 Effective Date. The effective date of this Code is the date that the Secretary of the Interior publishes the same in the **Federal Register**.

Section 43 Prior Inconsistent Acts. Except as provided otherwise under applicable federal law, this Code shall be the exclusive Tribal Law governing the introduction, distribution, sale and regulation of Alcoholic Liquor within the Reservation. Excluding the Liquor Control Code (Michigan), this Code

shall supersede any and all Tribal Laws that are inconsistent with the provisions of this Code, and such laws are hereby rescinded and repealed.

Section 44 Sovereign Immunity Preserved.

(a) The Tribe, and all of its constituent parts, which includes but is not limited to Tribal Enterprises, subordinate organizations, boards, committees, officers, employees and agents, are immune from suit in any jurisdiction except to the extent that such immunity has been expressly and unequivocally waived in writing by the Tribe.

(b) Nothing in this Code, and no enforcement action taken pursuant to this Code or otherwise, including without limitation the filing of suit by the Gaming Commission to enforce any provision of this Code or other Tribal Law, shall constitute a waiver of such sovereign immunity, either as to any counterclaim, regardless of whether the asserted counterclaim arises out of the same transaction or occurrence, or in any other respect.

[FR Doc. 2016-28749 Filed 11-28-16; 8:45 am]

BILLING CODE 4337-15-P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Number 1010-0114]

Information Collection: General and Oil and Gas Production Requirements in the Outer Continental Shelf; Submitted for OMB Review; Comment Request

ACTION: 30-day notice.

MMAA104000

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Ocean Energy Management (BOEM) is notifying the public that we have submitted an information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval. The ICR pertains to the paperwork requirements in the regulations under 30 CFR 550, Subparts A, General; and K, Oil and Gas Production Requirements, as well as associated forms. The Office of Management and Budget (OMB) has assigned control number 1010-0114 to this information collection. This notice provides the public a second opportunity to comment on the paperwork burden of this collection.

DATES: Submit written comments by December 29, 2016.

ADDRESSES: Submit comments on this ICR to the Desk Officer for the Department of the Interior at OMB-

OIRA at (202) 395-5806 (fax) or OIRA_submission@omb.eop.gov (email). Please provide a copy of your comments to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, 135-C10, Sterling, Virginia 20166 (mail) or anna.atkinson@boem.gov (email). Please reference ICR 1010-0114 in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT:

Anna Atkinson, Office of Policy, Regulations, and Analysis at anna.atkinson@boem.gov (email) or (703) 787-1025 (phone). You may review the ICR online at <http://www.reginfo.gov>. Follow the instructions to review Department of the Interior collections under review by OMB.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act (44 U.S.C. 3501-3521) and OMB regulations at 5 CFR part 1320 provide that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond. In order to obtain and renew an OMB control number, Federal agencies are required to seek public comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d) and 1320.12(a)).

As required at 5 CFR 1320.8(d), the BLM published a 60-day notice in the **Federal Register** on September 16, 2016 (81 FR 63799), and the comment period ended November 15, 2016. BOEM received no comments.

Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency “. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .” BOEM now requests comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden estimates; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology. Please send comments as directed under **ADDRESSES** and **DATES**. Please refer to OMB control number 1010-0114 in your correspondence.

The following information pertains to this request:

OMB Control Number: 1010-0114.

Title: 30 CFR 550, Subpart A, General, and Subpart K, Oil and Gas Production Requirements.

Forms:

- BOEM–0127, Sensitive Reservoir Information Report;
- BOEM–0140, Bottomhole Pressure Survey Report;
- BOEM–1123, Designation of Operator; and
- BOEM–1832, Notification of Incidents of Non-Compliance.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations in the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; balance orderly energy resource development with protection of human, marine, and coastal environments; ensure the public a fair and equitable return on the resources of the OCS; and preserve and maintain free enterprise competition. Section 1332(6) states that "operations in the [O]uter Continental Shelf should be conducted in a safe manner by well trained personnel using technology, precautions, and techniques sufficient to prevent or minimize . . . loss of well control . . . physical obstructions to users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property or endanger life or health."

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104–133, 110 Stat. 1321, April 26, 1996), and Office of Management and Budget (OMB) Circular A–25 authorize Federal agencies to recover the full cost of services that confer special benefits. Under the Department of the Interior's (DOI) implementing policy, the Bureau of Ocean Energy Management (BOEM) is required to charge fees for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those that accrue to the public.

This ICR covers 30 CFR 550, Subpart A, General, and Subpart K, Oil and Gas Production Requirements, which deal with regulatory requirements of oil, gas, and sulphur operations on the OCS. This request also covers the related Notices to Lessees and Operators (NTLs) that BOEM issues to clarify and provide guidance on some aspects of our regulations, and forms BOEM–0127,

BOEM–0140, BOEM–1123, and BOEM–1832.

The BOEM uses the information collected under the Subpart A and K regulations to ensure that operations in the OCS are carried out in a safe and environmentally sound manner, do not interfere with the rights of other users in the OCS, and balance the protection and development of OCS resources. Specifically, we use the information collected to:

- Determine the capability of a well to produce oil or gas in paying quantities or to determine the possible need for additional wells resulting in minimum royalty status on a lease.
- Provide lessees/operators greater flexibility to comply with regulatory requirements through approval of alternative equipment or procedures and departures if they demonstrate equal or better compliance with the appropriate performance standards.
- Ensure that subsurface storage of natural gas does not unduly interfere with development and production operations under existing leases.
- Record the designation of an operator authorized to act on behalf of the lessee/operating rights owner and to fulfill their obligations under the OCS Lands Act and implementing regulations, or to record the local agent empowered to receive notices and comply with regulatory orders issued (Form BOEM–1123, Designation of Operator). This form requires the respondent to submit general information such as lease number, name, address, company number of designated operator, and signature of the authorized lessee and designated operator. With this renewal, BOEM is adding a signature line for the designated operator. We also updated the form instructions by removing references to the Gulf of Mexico, so this form can be used nationally.
- Determine if an application for right-of-use and easement complies with the OCS Lands Act, other applicable laws, and BOEM regulations; and does not unreasonably interfere with the operations of any other lessee.
- Provide for orderly development or disqualification of leases to determine the appropriateness of lessee/operator performance.
- Approve requests to cancel leases and ascertain if/when the Secretary may cancel leases.
- Ensure the protection of any discovered archaeological resources.
- Regulate production rates from sensitive reservoirs (Form BOEM–0127,

Sensitive Reservoir Information Report). BOEM engineers and geologists use the information for rate control and reservoir studies. The form requests general information about the reservoir and the company, volumetric data, and fluid analysis and production data.

- Manage reservoirs in our efforts to conserve natural resources, prevent waste, and protect correlative rights, including the Government's royalty interest (Form BOEM–0140, Bottomhole Pressure Survey Report). Specifically, BOEM uses the information in reservoir evaluations to determine maximum production and efficient rates and to review applications for downhole commingling to ensure that action does not harm ultimate recovery or undervalued royalties. The form requests information about the well and operator; test data information such as shut-in time, bottomhole temperature, kelly bushing elevation; and bottomhole pressure points that consist of measured depth(s), true vertical depth(s), pressure(s), and pressure gradient(s).
- Determine that respondents have corrected any Incidents of Non-Compliance (INCs), Form BOEM–1832, identified during compliance reviews. The BOEM issues this form to the operator and the operator then corrects the INC(s), signs and returns the form to the BOEM Regional Supervisor.

We will protect proprietary information according to the Freedom of Information Act (5 U.S.C. 552), its implementing regulations (43 CFR 2), 30 CFR 252, and 30 CFR 550.197, "Data and information to be made available to the public or for limited inspection." Proprietary information concerning geological and geophysical data will be protected according to 43 U.S.C. 1352. No items of a sensitive nature are collected. Responses are mandatory.

Frequency: Primarily on occasion; monthly.

Description of Respondents: Federal oil and gas and sulphur lessees/operators.

Estimated Reporting and Recordkeeping Hour Burden: The estimated annual hour burden for this collection is 30,635 hours. The following table details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN BREAKDOWN

Citation 30 CFR 550 Subpart A and related forms/NTLs	Reporting or recordkeeping requirement	Non-hour cost burdens		
		Hour burden	Average number of annual responses	Annual burden hours
Authority and Definition of Terms				
104; 181; Form BOEM-1832	Appeal orders or decisions; appeal INCs; request hearing due to cancellation of lease.	Exempt under 5 CFR 1320.4(a)(2), (c)		0
Performance Standards				
115; 116	Request determination of well producibility; make available or submit data and information; notify BOEM of test.	5	90 responses	450
119	Apply for subsurface storage of gas; sign storage agreement.	10	3 applications	30
Subtotal .....	.....	.....	93 responses	480
Cost Recovery Fees				
125; 126; 140	Cost Recovery Fees; confirmation receipt etc; verbal approvals and written request to follow. Includes request for refunds.	Cost Recovery Fees and related items are covered individually throughout this subpart.		0
Designation of Operator				
143	Report change of name, address, etc	Not considered information collection under 5 CFR 1320.3(h)(1).		0
143(a-c); 144; 145; Form BOEM-1123.	Submit designation of operator (Form BOEM-1123—form takes 30 minutes); report updates; notice of termination; submit designation of agent. Request exception. NO FEE.	1	2,584 forms	2,584
143(a-d); 144; 145; Form BOEM-1123.	Change designation of operator (Form BOEM-1123—form takes 30 minutes); report updates; notice of termination; submit designation of agent; include pay.gov confirmation receipt. Request exception. SERVICE FEE.	1	930 forms	930
		\$175 fee × 930 = \$162,750		
186(a)(3); NTL	Apply for user account in TIMS (electronic/digital form submittals).	Not considered information collection under 5 CFR 1320.3(h)(1).		0
Subtotal .....	.....	.....	3,514 responses	3,514
		\$162,750 non-hour cost burden		
Compliance				
101; 135; 136; Form BOEM-1832.	Submit response and required information for INC, probation, or revocation of operating status. Notify when violations corrected.	2	94 submissions	188
	Request waiver of 14-day response time or reconsideration.	1	1	1
135; 136	Request reimbursement for services provided to BOEM representatives during reviews; comment.	1.5	2 requests	3
Subtotal .....	.....	.....	97 responses	192

BURDEN BREAKDOWN—Continued

Citation 30 CFR 550 Subpart A and related forms/NTLs	Reporting or recordkeeping requirement	Non-hour cost burdens		
		Hour burden	Average number of annual responses	Annual burden hours
Special Types of Approval				
125(c); 140	Request various oral approvals not specifically covered elsewhere in regulatory requirements.	1	100 requests	100
141; 101–199	Request approval to use new or alternative procedures; submit required information.	20	100 requests	2,000
142; 101–199	Request approval of departure from operating requirements not specifically covered elsewhere in regulatory requirements; submit required information.	2.5	100 requests	25
Subtotal .....	.....	.....	300 responses	2,350
Right-of-use and Easement				
160; 161; 123	OCS lessees: Apply for new or modified right-of-use and easement to construct and maintain off-lease platforms, artificial islands, and installations and other devices; include notifications and submitting required information.	9	26 applications	234
160(c)	Establish a Company File for qualification; submit updated information, submit qualifications for lessee/bidder, request exception.	Burden covered under 30 CFR 556 (1010–0006)		0
160; 165; 123	State lessees: Apply for new or modified right-of-use and easement to construct and maintain off-lease platforms, artificial islands, and installations and other devices; include pay.gov confirmation and notifications.	5	1 application	5
		\$2,742 state lease fee × 1 = \$2,742		
166	State lessees: Furnish surety bond; additional security if required.	Burden covered under 30 CFR 556 (1010–0006).		0
Subtotal .....	.....	.....	27 responses	239
		\$2,742 non-hour cost burden		
Primary Lease Requirements, Lease Term Extensions, and Lease Cancellations				
181(d); 182(b), 183(a)(b)	Request termination of suspension, cancellation of lease, lesser lease term (no requests in recent years for termination/cancellation of a lease; minimal burden).	20	1 request	20
182; 183, 185; 194	Various references to submitting new, revised, or modified exploration plan, development/production plan, or development operations coordination document, and related surveys/reports.	Burden covered under 30 CFR 550, Subpart B (1010–0151)		0
184	Request compensation for lease cancellation mandated by the OCS Lands Act (no qualified lease cancellations in many years; minimal burden compared to benefit).	50	1 request	50
Subtotal .....	.....	.....	2 responses	70

BURDEN BREAKDOWN—Continued

Citation 30 CFR 550 Subpart A and related forms/NTLs	Reporting or recordkeeping requirement	Non-hour cost burdens		
		Hour burden	Average number of annual responses	Annual burden hours
Information and Reporting Requirements				
186(a)	Apply to receive administrative entitlements to eWell/TIMS system for electronic submissions.	Not considered IC under 5 CFR 1320.3(h)(1)		0
186; NTL	Submit information, reports, and copies as BOEM requires.	10	125	1,250
135; 136	Report apparent violations or non-compliance.	1.5	2 reports	3
194; NTL	Report archaeological discoveries. Submit archaeological and follow-up reports and additional information.	2	6 reports	12
194; NTL	Request departures from conducting archaeological resources surveys and/or submitting reports in GOMR.	1	2 requests	2
194	Submit ancillary surveys/investigations reports, as required.	Burden covered under 30 CFR 550 Subpart B (1010-0151).		0
196	Submit data/information for G&G activity and request reimbursement.	Burden covered under 30 CFR 551 (1010-0048).		0
197(b)(2)	Demonstrate release of G&G data would unduly damage competitive position.	1	1	1
197	Submit confidentiality agreement	1	1	1
Subtotal .....	.....	.....	137 responses	1,269
Recordkeeping				
135; 136	During reviews, make records available as requested by inspectors.	2	7 reviews	14
Subtotal .....	.....	.....	7 responses	14
Citation 30 CFR 550 Subpart K and Related Forms	Well surveys and classifying reservoirs ...	Hour burden	Average number of annual responses.	Annual burden hours
1153	Conduct static bottomhole pressure survey; submit Form BOEM-0140 (Bottomhole Pressure Survey Report) (within 60 days after survey).	14	1,161 surveys	16,254
1153(d)	Submit justification, information, and Form BOEM-0140, to request a departure from requirement to run a static bottomhole survey.	1	200 survey departures ...	200
1154; 1167	Submit request and supporting information to reclassify reservoir.	1	15 requests	15
1155; 1165(b); 1166; 1167	Submit Form BOEM-0127 (Sensitive Reservoir Information Report) and supporting information/revisions (within 45 days after certain events or at least annually). AK Region: submit BOEM-0127 and request MER.	3	2,012 forms	6,036
1153-1167	Request general departure or alternative compliance requests not specifically covered elsewhere in regulatory requirements.	1	2	2
1165	Submit proposed plan for enhanced recovery operations to BSEE.	Burden covered under BSEE 30 CFR 250 (1014-0019).		0
Subtotal .....	.....	.....	3,390 responses	22,507
Total Burden .....	.....	.....	7,567 Responses	30,635
			\$165,492 Non-Hour Cost Burdens	

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: We have identified two non-hour cost burdens. Section 550.143 requires a fee for a change in designation of operator (\$175). Section 550.165 requires a State lessee applying for a right-of use and easement in the OCS to pay a cost recovery application fee (\$2,742). The total non-hour cost burden for this collection is estimated at \$165,492.

Public Availability of Comments: Before including your address, phone number, email address, or other personal identifying 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.

Dated: November 21, 2016.

Deanna Meyer-Pietruszka,

Chief, Office of Policy, Regulations, and Analysis.

[FR Doc. 2016-28542 Filed 11-28-16; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—3D PDF Consortium, Inc.

Notice is hereby given that, on October 25, 2016, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), 3D PDF Consortium, Inc. (“3D PDF”) 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, PDFTron Systems Inc., Vancouver, British Columbia, CANADA; and Purdue University West Lafayette, IN, have been added as parties to this venture.

Also, DISCUS Software Company, Columbus, OH; and Capvidia NA LLC, New Ulm, MN, 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 3D PDF

intends to file additional written notifications disclosing all changes in membership.

On March 27, 2012, 3D PDF 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 April 20, 2012 (77 FR 23754).

The last notification was filed with the Department on August 5, 2016. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on September 20, 2016 (81 FR 64507).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2016-28709 Filed 11-28-16; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0104]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Application for Alternate Means of Identification of Firearm(s) (Marking Variance) (ATF Form 3311.4)

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until January 30, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any additional information, please contact Mark Pawielski, Firearm & Ammunition Technology Division either by mail at 244 Needy Road, Martinsburg, WV 25405, by email at Mark.Pawielski@atf.gov, or by telephone at 304 616 4304.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning

the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection (check justification or form 83-I):* Revision of a currently approved collection.

2. *The Title of the Form/Collection:* Application for Alternate Means of Identification of Firearm(s) (Marking Variance).

3. *The agency form number, if any, and the applicable component of the Departments sponsoring the collection:* Form number (if applicable): ATF Form 3311.4.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.
Other (if applicable): Federal Government.

Abstract: The ATF Form 3311.4 provides a uniform mean for industry members with a valid Federal importer or manufacturer license, to request firearms marking variance.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 2,064 respondents will utilize the form, and it will take each respondent approximately 30 minutes to complete the form.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 1,032 hours.