

## V. Paperwork Reduction Act

This rule does not include a reporting or information collection requirement. Therefore, USAID has determined that this rule does not impose any new or revised reporting or disclosure requirements that would be considered collections of information requiring Office of Management and Budget approval under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

### List of Subjects in 48 CFR Part 752

Government procurement.

For the reasons discussed in the preamble, USAID amends 48 CFR Chapter 7 as set forth below:

■ 1. The authority citation for 48 CFR Chapter 7 part 752 continues to read as follows:

**Authority:** Sec. 621, Pub. L. 87–195, 75 Stat. 445 (22 U.S.C. 2381), as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; and 3 CFR 1979 Comp., p. 435.

## SUBCHAPTER H—CLAUSES AND FORMS

### PART 752—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 2. Add Section 752.7038 to read as follows:

#### § 752.7038 Nondiscrimination against End-Users of Supplies or Services.

The following clause must be inserted in section I of all solicitations and resulting contracts.

#### Nondiscrimination Against End-Users of Supplies or Services (Date)

(a) USAID policy requires that the contractor not discriminate against any end-user of the contract supplies or services (*i.e.*, the beneficiaries of the supplies or services) in implementation of this award, such as, but not limited to, by withholding, adversely impacting, or denying equitable access to the supplies or services (benefits) provided through this contract on the basis of any factor not expressly stated in the award. This may include, for example, race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, disability, age, genetic information, marital status, parental status, political affiliation, or veteran's status. Nothing in this clause is intended to limit the ability of a contractor to target activities toward the assistance needs of certain populations as defined in the contract.

(b) The Contractor must insert this clause, including this paragraph, in all subcontracts under this contract.

(End of clause)

Dated: August 8, 2016.

**Sunil Xavier,**

*Acting Chief Acquisition Officer.*

[FR Doc. 2016–19716 Filed 8–19–16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 269

[Docket No. FRA–2016–0023, Notice No. 3]

RIN 2130–AC60

#### Competitive Passenger Rail Service Pilot Program

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Proposed rule; notice of public hearing and extension of comment period.

**SUMMARY:** On June 22, 2016, FRA published a Notice of Proposed Rulemaking (NPRM) that would implement a pilot program for competitive selection of eligible petitioners in lieu of Amtrak to operate not more than three long-distance routes operated by Amtrak. FRA is announcing a public hearing to provide interested persons an opportunity to provide oral comments on the proposal. FRA is also announcing an extension of the comment period for this proceeding to allow time for interested parties to submit written comments in response to views or information provided at the public hearing.

**DATES:** A public hearing will be held on September 7, 2016, at 1:45 p.m. in Washington, DC. The comment period for the NPRM published on June 22, 2016, (81 FR 40624) is open through August 22, 2016. Comments in response to views or information provided at the public hearing must be received by October 7, 2016.

**ADDRESSES:** *Public Hearing.* The public hearing will be held at the U.S. Department of Transportation, 1200 New Jersey Avenue SE., Conference Center Room 7, Washington, DC 20590.

*Comments.* You may submit comments identified by Docket Number FRA–2016–0023 by any of the following methods:

- *Online:* Comments should be filed at the Federal eRulemaking Portal, <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

*Instructions:* All submissions must include the agency name, docket name, and docket number or Regulatory Identification Number (RIN) for this rulemaking (RIN 2130–AC60). FRA will post all comments received without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading in the “Supplementary Information” section of this document for Privacy Act information about any submitted petitions, comments, or materials.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> at any time or to the U.S. Department of Transportation, Docket Operations, M–30, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Brandon White, Office of Railroad Policy and Development, Federal Railroad Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 493–1327, [Brandon.White@dot.gov](mailto:Brandon.White@dot.gov), or Zeb Schorr, Office of Chief Counsel, Federal Railroad Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 493–6072.

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to present oral statements and to offer information and views at the hearing. The hearing will be informal and will be conducted by a representative FRA designates under FRA's Rules of Practice (49 CFR 211.25). The hearing will be a non-adversarial proceeding. Therefore, there will be no cross examination of persons presenting statements or offering evidence. An FRA representative will make an opening statement outlining the scope of the hearing. After all initial statements are completed those persons wishing to make a brief rebuttal will be given the opportunity to do so in the same order the initial statements were made. FRA will announce additional procedures necessary to conduct the hearing, at the hearing. The purpose of this hearing is to receive oral comments in response to an NPRM for a competitive passenger rail service pilot program. FRA will add a transcript of the discussions to the public docket in this proceeding.

*Public Participation Procedures.* Any person wishing to make a statement at the hearing should notify Mr. White by telephone, email, or in writing, at least 5 working days before the date of the hearing and submit three copies of the

oral statement he or she intends to make at the proceeding. The notification should identify the party the person represents, the particular subject(s) the person plans to address, and the time requested. The notification should also provide the participant's mailing address and other contact information. FRA reserves the right to limit participation in the hearing of persons who fail to provide such notification. FRA also reserves the right to limit the duration of presentations if necessary to afford all persons with the opportunity to speak. For information on facilities or services for persons with disabilities, or to request special assistance at the hearing, contact FRA Program Analyst, Mr. Kenton Kilgore, by telephone, email, or in writing, at least at least 5 working days before the date of the hearing. Mr. Kilgore can be reached at Federal Railroad Administration, Office of Railroad Safety, Mail Stop 25, 1200 New Jersey Avenue SE., Washington, DC 20590; (202) 493-6286; or [Kenton.Kilgore@dot.gov](mailto:Kenton.Kilgore@dot.gov).

**Extension of Comment Period.** The comment period for the NPRM is currently open through August 22, 2016. To accommodate the public hearing and afford interested parties the opportunity to submit comments in response to views or information provided at the public hearing, FRA will extend the comment period. FRA must receive comments in response to views or information provided at the public hearing by October 7, 2016.

#### Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#!privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov). Interested parties may also review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

Issued in Washington, DC, on August 16, 2016.

**Jamie Rennert,**

*Office Director, Office of Program Delivery.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 28 and 29

**[Docket No. FWS-HQ-NWRS-2012-0086; FXRS12610900000-167-FF09R24000]**

**RIN 1018-AX36**

#### Management of Non-Federal Oil and Gas Rights

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

**ACTION:** Proposed rule; availability of Final Environmental Impact Statement.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), make available the final environmental impact statement (EIS) on regulations governing the exercise of non-Federal oil and gas rights outside of Alaska in order to improve our ability to protect refuge resources, visitors, and the general public's health and safety from potential impacts associated with non-Federal oil and gas operations located within refuges.

**DATES:** The Service will execute a Record of Decision no sooner than 30 days from the date of publication of the notice of availability of the FEIS by the Environmental Protection Agency.

**ADDRESSES:** Copies of the FEIS will be available for public review at <http://www.fws.gov/refuges/oil-and-gas/rulemaking.html> and at [www.regulations.gov](http://www.regulations.gov) at Docket No. FWS-HQ-NWRS-2012-0086.

#### FOR FURTHER INFORMATION CONTACT:

Scott Covington, U.S. Fish and Wildlife Service, Division of Natural Resources and Planning, MS: NWRS, 5275 Leesburg Pike, Falls Church, Virginia 22041; telephone 703-358-2427. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339. Further contact information can be found at <http://www.fws.gov/refuges/oil-and-gas/rulemaking.html>.

**SUPPLEMENTARY INFORMATION:** Under the authority of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*) and the Department of the Interior regulations that implement NEPA (part 46 of title 43 of the Code of Federal Regulations) and the National Wildlife

Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act (16 U.S.C. 668dd *et seq.*), we issue this supplementary document. The Environmental Protection Agency will publish similar notification of this action in the **Federal Register**.

#### Background

On February 24, 2014, we issued an advance notice of proposed rulemaking (ANPR) (79 FR 10080) to assist us in developing a proposed rule on managing activities associated with non-Federal oil and gas development on lands and waters of the National Wildlife Refuge System (NWRS). Non-Federal oil and gas development refers to oil and gas activities associated with any private, state, or tribally owned mineral interest where the surface estate is administered by the Service as part of the Refuge System. The ANPR had a 60-day comment period, ending April 25, 2014. On June 9, 2014, we reopened the comment period for another 30 days, ending July 9, 2014 (79 FR 32903). The ANPR requested the public to focus their comments on seven topics identified as major areas of concern: (1) Plans of Operations and Special Use Permits; (2) Operating Standards; (3) Financial Assurances; (4) Access Fees; (5) Noncompliance; (6) Existing Operations; and (7) Impacts from the Proposed Rulemaking.

We published a proposed rule on December 11, 2015 (80 FR 77200), to revise the regulations governing the exercise of non-Federal oil and gas rights located within NWRS units, and we announced the availability of a draft EIS. The comment period closed February 9, 2016. We now announce the availability of the FEIS.

The FEIS evaluates the impacts of three alternatives, including the following alternative elements:

- Requirement that oil operators proposing new oil and gas development (e.g., drilling a well) obtain an operations permit.
- Requirement of financial assurance (bonding). Financial assurance would be equal to the reasonable estimated cost of site reclamation.
- Requirement that all operations, regardless of status, obtain a reclamation permit (including bonding) once that operation ceases to be economically productive.
- Improving enforcement authority by assimilating State oil and gas laws and regulations. Law enforcement staff would have authority to write citations for noncompliance with State regulations, primarily State regulations addressing surface impacts.