

# Rules and Regulations

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## DEPARTMENT OF COMMERCE

### Bureau of Economic Analysis

#### 15 CFR Part 801

[Docket No. 111201710-4976-01]

RIN 0691-AA82

#### Direct Investment Surveys: BE-13, Survey of New Foreign Direct Investment in the United States; Announcing OMB Approval of Information Collection

**AGENCY:** Bureau of Economic Analysis (BEA), Commerce.

**ACTION:** Final rule; approval of collection-of-information requirements and effective date of OMB control numbers.

**SUMMARY:** This rule provides notice of the approval by the Office of Management and Budget (OMB) and resulting effectiveness of the collection-of-information requirements published by BEA on August 14, 2014.

**DATES:** The collection-of-information requirements in §§ 801.3, 801.4 and 801.7, published on August 14, 2014 (79 FR 47573-47575), are effective November 24, 2014. OMB approved the collection-of-information requirements in §§ 801.3, 801.4 and 801.7, as of October 29, 2014.

**FOR FURTHER INFORMATION CONTACT:** Patricia Abaroa, Chief, Direct Investment Division (BE-50), Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230; phone (202) 606-9591.

**SUPPLEMENTARY INFORMATION:** BEA published a final rule on August 14, 2014 (79 FR 47573-75), that amended its regulations to reinstate the reporting requirements for the BE-13, Survey of New Foreign Direct Investment in the United States, which was discontinued in 2009. On September 9, 2014, BEA published a correction to that final rule

stating that the Office of Management and Budget (OMB) had not yet approved the information collection requirements pursuant to the Paperwork Reduction Act, and therefore the effective date of the BE-13 is delayed (see 79 FR 53291). The correction also stated that BEA would announce the effective date of that final rule after OMB approved BEA's information collection request for the BE-13.

This final rule announces OMB approval and effectiveness of the collection-of-information associated with the BE-13. OMB approved the collection-of-information requirements on October 29, 2014, under OMB control number 0608-0035. The expiration date for this control number is October 31, 2017.

#### Classification

##### *Paperwork Reduction Act*

This rule makes effective a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by the Office of Management and Budget (OMB) under OMB Control Number 0608-0035. This survey collects information on the acquisition or establishment of U.S. business enterprises by foreign investors, which was collected on the previous BE-13 survey, and information on expansions by existing U.S. affiliates of foreign companies, which was not previously collected. This mandatory survey will be conducted under the authority of the International Investment and Trade in Services Survey Act (the Act). Unlike other BEA surveys conducted pursuant to the Act, a response is required from persons subject to the reporting requirements of the BE-13, Survey of New Foreign Direct Investment in the United States, whether or not they are contacted by BEA, in order to ensure that respondents subject to the requirements for foreign direct investments in the United States are identified. The BE-13 survey is expected to result in the filing of reports from approximately 1,350 U.S. affiliates each year. The respondent burden for this collection of information will vary from one company to another, but is estimated to average 1.6 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and

reviewing the collection of information. Thus the total respondent burden for this survey is estimated at 2,160 hours, compared to 900 hours for the previous BE-13 survey. The increase in burden hours is due to the increase in the number of respondents expected to file.

#### Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and opportunity for public comment for this action because notice and comment would be unnecessary and contrary to the public interest. This action simply provides notice of OMB's approval of the reporting requirements at issue, which has already occurred, and renders those requirements effective. Thus, this action does not involve any further exercise of agency discretion and no comment received at this time would impact any decision by BEA or OMB. In addition, the public has had the opportunity to comment on both the substance of the reporting requirements, at the time BEA adopted them, and on BEA's request to OMB for renewal of the information collection. The reporting requirements at issue were detailed in proposed rules on which BEA accepted public comment. The reporting provisions in 15 CFR 801.3, 801.4 and 801.7, were initially published at 79 FR 30503-06 on May 28, 2014, with comments accepted until July 28, 2014, and published as a final rule at 79 FR 47573-75 on August 14, 2014. An additional opportunity for public comment at this point would not be meaningful, and would be duplicative.

#### Regulatory Flexibility Act

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, are inapplicable.

#### Executive Order 12866

This final rule has been determined to be not significant for purposes of Executive Order 12866.

#### List of Subjects in 15 CFR Part 801

Economic statistics, Foreign investment in the United States, International transactions, Penalties, Reporting and recordkeeping requirements.

Dated: November 17, 2014.

**Brent Moulton,**

*Acting Director, Bureau of Economic Analysis.*

[FR Doc. 2014-27771 Filed 11-21-14; 8:45 am]

**BILLING CODE 3510-06-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2014-0988]

#### Drawbridge Operation Regulation; Three Mile Creek, Mobile, AL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the CSX Transportation Railroad Swing Span Bridge across Three Mile Creek, mile 0.3, at Mobile, Baldwin County, Alabama. This deviation is necessary to conduct maintenance to the bridge. This deviation allows the bridge to remain temporarily closed to navigation for twelve hours during one day and then operate during daylight hours only for eight consecutive days within a span of nine days.

**DATES:** This deviation is effective from 7:00 a.m. on Thursday, November 27, 2014, through 6:00 p.m. on Friday, December 5, 2014.

**ADDRESSES:** The docket for this deviation, [USCG-2014-0988] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 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:** If you have questions on this temporary deviation, call or email Geri Robinson, Bridge Administration Branch, Coast Guard; telephone 504-671-2128, email [Geri.A.Robinson@uscg.mil](mailto:Geri.A.Robinson@uscg.mil). If you have questions on viewing the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** CSX Transportation requested a temporary

deviation to repair the center bearing and rack circle, which affects the opening and closing of the swing span bridge across Three Mile Creek at mile 0.3 at Mobile, Baldwin County, Alabama. This maintenance is essential for the continued operation of the bridge and is expected to guard against frequent breakdowns resulting in emergency bridge closures. The bridge owner plans to replace the center bearing and rehabilitate the rack circle. To accomplish the necessary repairs, the bridge owner requested that the bridge be allowed to remain closed to navigation for twelve consecutive hours on Thursday, November 27, 2014 from 7 a.m. until 7 p.m. to replace the center bearing. Immediately following this closure, the bridge owner will open the bridge to allow all vessels to clear the queue. After clearing the queue, the bridge will be closed to navigation until Friday, November 28, at 8 a.m. At that time, the bridge will open on signal from 8 a.m. until 6 p.m. for eight consecutive days. During evening and nighttime hours, between 6 p.m. and 8 a.m., the bridge will open at midnight for the passage of vessels if at least two hours advanced notice is given. During this temporary deviation, the bridge owner will rehabilitate and reinstall the rack circle. During this time period, the bridge will be opened by use of an assist tug and operations may take longer than normal. At 6 p.m. on Friday, December 5, 2014, the bridge will return to normal operation.

The swing span bridge has a vertical clearance of 10 feet above mean high water and 12 feet above mean low water in the closed-to-navigation position. Navigation on the waterway is primarily commercial, consisting of tugs with tows and fishing vessels. There is no recreational boat traffic at the bridge site. These closures have been discussed with waterway users and facilities and no objections to the closure have been expressed. In accordance with 33 CFR 117.5, the draw of the bridge opens on signal. No alternate routes are available.

In accordance with 33 CFR 117.35(e), this bridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: November 10, 2014.

**David M. Frank,**

*Bridge Administrator, Eighth Coast Guard District.*

[FR Doc. 2014-27811 Filed 11-21-14; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2014-0990]

#### Drawbridge Operation Regulation; Trent River, New Bern, NC

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Norfolk Southern Railroad Drawbridge, across Trent River, mile 0.2, at New Bern, NC, to facilitate a rehabilitation project. This bridge presently opens on demand for navigation and is usually left in the open position only to close twice a day for train crossings. This deviation allows the bridge to remain closed to navigation from 8 a.m. Monday, December 15, 2014 until 7 p.m. Friday, December 19, 2014, so that necessary maintenance may be made. The deviation is necessary to facilitate removal and replacement of the rail lift joints.

**DATES:** This deviation is effective from 8 a.m. on Monday, December 15, 2014 to 7 p.m. on Friday, December 19, 2014.

**ADDRESSES:** The docket for this deviation [USCG-2014-0990] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 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:** If you have questions on this temporary deviation, call or email Terrance Knowles, Environmental Protection Specialist, Coast Guard; telephone 757-398-6587, email [Terrance.A.Knowles@uscg.mil](mailto:Terrance.A.Knowles@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, at 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Norfolk Southern Railway operates this swing-type railroad drawbridge and has requested a temporary deviation from the current operating regulations to facilitate the rehabilitation work on the structure. The Norfolk Southern