

| Document  | ADAMS accession No.   |
|---|-----------------------|
| Submittal of Request for NAC International NAC-UMS Universal Storage System, Certificate of Compliance No. 1015, Amendment No. 9 dated July 30, 2021.   | ML21222A017 (package) |
| Proposed Certificate of Compliance for NAC International NAC-UMS Universal Storage System, Certificate of Compliance No. 1015, Amendment No. 9.   | ML21313A071           |
| Safety Evaluation Report for NAC International NAC-UMS Certificate of Compliance No. 1015, Amendment 9 .....  | ML21312A495           |
| Corrected pages B-2, B-4, and B3-2 from NAC International NAC-UMS Certificate of Compliance No. 1015, Amendment 8 Technical Specifications (Appendix B).  | ML21312A499           |
| Proposed Technical Specifications (Appendix A) for NAC International NAC-UMS Certificate of Compliance No. 1015, Amendment 9.   | ML21312A501           |
| Proposed Technical Specifications (Appendix B) for NAC International NAC-UMS Certificate of Compliance No. 1015, Amendment 9.   | ML21312A500           |
| User Need Memorandum for forwarding Certificate of Compliance, Technical Specifications and Safety Evaluation Report for NAC International NAC-UMS Certificate of Compliance No. 1015, Amendment 9. | ML21312A488           |

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC-2022-0049. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC-2022-0049); (2) click the "Subscribe" link; and (3) enter an email address and click on the "Subscribe" link.

#### List of Subjects in 10 CFR Part 72

Administrative practice and procedure, Hazardous waste, Indians, Intergovernmental relations, Nuclear energy, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendments to 10 CFR part 72:

#### PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for part 72 continues to read as follows:

**Authority:** Atomic Energy Act of 1954, secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137,

141, 145(g), 148, 218(a) (42 U.S.C. 10137(a), 10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

■ 2. In § 72.214, Certificate of Compliance No. 1015 is revised to read as follows:

#### § 72.214 List of approved spent fuel storage casks.

\* \* \* \* \*

*Certificate Number:* 1015.

*Initial Certificate Effective Date:*

November 20, 2000.

*Amendment Number 1 Effective Date:* February 20, 2001.

*Amendment Number 2 Effective Date:* December 31, 2001.

*Amendment Number 3 Effective Date:* March 31, 2004.

*Amendment Number 4 Effective Date:* October 11, 2005.

*Amendment Number 5 Effective Date:* January 12, 2009.

*Amendment Number 6 Effective Date:* January 7, 2019.

*Amendment Number 7 Effective Date:* July 29, 2019.

*Amendment Number 8 Effective Date:* October 19, 2021, as corrected (ADAMS Accession No. ML21312A499).

*Amendment Number 9 Effective Date:* August 29, 2022.

*SAR Submitted by:* NAC International, Inc.

*SAR Title:* Final Safety Analysis Report for the NAC-UMS Universal Storage System.

*Docket Number:* 72-1015.

*Certificate Expiration Date:* November 20, 2020.

*Model Number:* NAC-UMS.

\* \* \* \* \*

Dated: June 1, 2022.

For the Nuclear Regulatory Commission.

**Daniel H. Dorman,**

*Executive Director for Operations.*

[FR Doc. 2022-12746 Filed 6-13-22; 8:45 am]

**BILLING CODE 7590-01-P**

#### DEFENSE NUCLEAR FACILITIES SAFETY BOARD

##### 10 CFR Part 1707

[Docket No. DNFSB-2022-0001]

#### Testimony by DNFSB Employees and Production of Official Records in Legal Proceedings

**AGENCY:** Defense Nuclear Facilities Safety Board.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The Defense Nuclear Facilities Safety Board (DNFSB or Board) is confirming the effective date of July 14, 2022, for the direct final rule that was published in the **Federal Register** on April 15, 2022. The direct final rule revised the Board's Touhy regulations to clarify that they only apply when the United States or DNFSB is not a party in the underlying legal proceeding.

**DATES:** The effective date of July 14, 2022, for the direct final rule published April 15, 2022 (87 FR 22436), is confirmed.

**ADDRESSES:** DNFSB's General Counsel Web page: Go to <https://www.dnfsb.gov/office-general-counsel> and click "Rulemaking-DNFSB-2022-0001" to access publicly available information related to this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Eric Fox, Associate General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW, Suite 700, Washington, DC 20004-2901, (202) 694-7000.

**SUPPLEMENTARY INFORMATION:** On April 15, 2022 (87 FR 22436), the DNFSB published a direct final rule amending its regulations in part 1707 of title 10 of the Code of Federal Regulations regarding testimony by DNFSB employees and production of documents in legal proceedings. The DNFSB published this direct final rule

to clarify that the regulations do not apply to legal proceedings in which the DNFSB or United States is not a party.

In the direct final rule, the DNFSB stated that if no significant adverse comments were received, the direct final rule would become effective on July 14, 2022. The DNFSB received no comments, and the direct final rule will become effective as scheduled.

Dated: June 9, 2022.

Joyce Connery,  
Chair.

[FR Doc. 2022–12784 Filed 6–13–22; 8:45 am]

BILLING CODE 3670–01–P

## FEDERAL ELECTION COMMISSION

### 11 CFR Part 109

[Notice 2022–13]

#### Reporting Independent Expenditures

**AGENCY:** Federal Election Commission.

**ACTION:** Interim final rule.

**SUMMARY:** The Federal Election Commission is removing a regulation requiring that certain persons making independent expenditures disclose on their reports the identification of each person who made a contribution over \$200 to the persons filing such reports “for the purpose of furthering the reported independent expenditure.” The Commission is taking this action to comply with the decision of the United States Court of Appeals for the District of Columbia Circuit, which affirmed a district court decision holding that the disclosure regulation was invalid. The Commission is accepting comments on this revision to its regulation and any comments received may be addressed in a subsequent rulemaking document. Further information is provided in the **SUPPLEMENTARY INFORMATION** that follows.

**DATES:** The interim final rule is effective on September 30, 2022. Comments must be received on or before July 14, 2022.

**ADDRESSES:** All comments must be in writing. Commenters are encouraged to submit comments electronically via the Commission’s website at <https://www.fec.gov/fosers/>, reference REG 2020–05. Alternatively, commenters may submit comments in paper form, addressed to the Federal Election Commission, Attn.: Mr. Robert M. Knop, Assistant General Counsel, 1050 First Street NE, Washington, DC 20463.

Each commenter must provide, at a minimum, his or her first name, last name, city, and state. All properly submitted comments, including

attachments, will become part of the public record, and the Commission will make comments available for public viewing on the Commission’s website and in the Commission’s Public Records Office. Accordingly, commenters should not provide in their comments any information that they do not wish to make public, such as a home street address, personal email address, date of birth, phone number, social security number, or driver’s license number, or any information that is restricted from disclosure, such as trade secrets or commercial or financial information that is privileged or confidential.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert M. Knop, Assistant General Counsel, or Ms. Joanna S. Waldstreicher, Attorney, 1050 First Street NE, Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

**SUPPLEMENTARY INFORMATION:** The Federal Election Campaign Act (the “Act”) provides that any person that is not a political committee and that makes independent expenditures aggregating in excess of \$250 per calendar year must file a statement containing certain information about the funds they received and spent, including identifying each person (other than a political committee) whose contributions to the person filing such statement aggregated in excess of \$200 within the calendar year, together with the date and amount of such contribution. 52 U.S.C. 30104(c)(1); see also 52 U.S.C. 30104(b)(3)(A). The Act also provides that the statement must identify “each person who made a contribution in excess of \$200 to the person filing such statement which was made for the purpose of furthering an independent expenditure.” 52 U.S.C. 30104(c)(2)(C).

To implement these and other independent expenditure reporting provisions of the Act, the Commission promulgated the regulation at 11 CFR 109.10, requiring that “[e]very person that is not a political committee and that makes independent expenditures aggregating in excess of \$250 with respect to a given election in a calendar year shall file a verified statement or report . . .” including certain information about the expenditures and “[t]he identification of each person who made a contribution in excess of \$200 to the person filing such report, which contribution was made for the purpose of furthering the reported independent expenditure.” 11 CFR 109.10(b), (e)(1)(vi).

On Aug. 3, 2018, the United States District Court for the District of Columbia Circuit held that the

regulation at 11 CFR 109.10(e)(1)(vi) is invalid because it conflicts with the terms of the statute, which “mandate significantly more disclosure than that required by the challenged regulation.” *CREW v. FEC*, 316 F. Supp. 3d 349, 410 (D.D.C. 2018). The district court held that 52 U.S.C. 30104(c)(1) “plainly requires broader disclosure than just those donors making contributions for the purposes of funding the independent expenditures made by the reporting entity.” *Id.* at 389. The district court further held that the regulation “substantially narrows subsection (c)(2)” of the statute, *id.* at 394, and that “the challenged regulation’s substitution of ‘the reported’ for ‘an’ is not in accord with the statutory text.” *Id.* at 406. The district court therefore vacated the regulation, effective September 17, 2018. Order, *CREW v. FEC*, No. 16–259 (Aug. 3, 2018) at 2.<sup>1</sup> Shortly after the vacatur of the regulation became effective, the Commission issued guidance on how persons other than political committees should report their independent expenditures following the court’s decision, available at: <https://www.fec.gov/updates/fec-provides-guidance-following-us-district-court-decision-crew-v-fec-316-f-supp-3d-349-ddc-2018/>.

On August 21, 2020, the U.S. Court of Appeals for the District of Columbia Circuit affirmed the district court’s decision. *CREW v. FEC*, 971 F.3d 340 (D.C. Cir 2020). The D.C. Circuit found that 11 CFR 109.10 “disregards [52 U.S.C. 30104](c)(1)’s requirement that IE makers disclose each donation from contributors who give more than \$200 . . . .” *Id.* at 350–51. It also found that the regulation “impermissibly narrows [52 U.S.C. 30104](c)(2)(C)’s requirement that contributors be identified if their donations are ‘made for the purpose of furthering an independent expenditure’” by requiring disclosure only of donations linked to a particular independent expenditure. *Id.* at 351. The court concluded that, because the statute “establishes a broader disclosure mandate than the [Commission’s] Rule ostensibly implementing it, the Rule is invalid.” *Id.* at 356.

Commissioners have previously made efforts to reach consensus on revising the regulatory description of the reporting requirements, but were unable to find agreement by the required four affirmative votes.

In order to conform with the court opinion, the Commission is now striking 11 CFR 109.10(e)(1)(vi). The

<sup>1</sup> The court stayed its vacatur of the rule for 45 days from the date of the order.