

**SUMMARY:** We find that, under the Alien Nonpayment Provision of the Social Security Act (Act), citizens of Estonia may continue to receive Social Security benefits under title II, after 6 consecutive calendar months of absence from the United States. This finding is based on information and data we received about the social insurance system of Estonia and its laws. The Commissioner of Social Security delegated the authority to make this finding to the Deputy Commissioner for Retirement and Disability Policy.

**DATES:** We will implement this finding on May 16, 2022.

**FOR FURTHER INFORMATION CONTACT:** Icie K. Allen, Office of Income Security Programs, 2500 Robert Ball Building, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–8945.

**SUPPLEMENTARY INFORMATION:** We are prohibited by law from paying benefits under title II of the Act to non-U.S. citizens who remain outside the United States for more than 6 consecutive calendar months, unless they meet an exception provided in the law. We refer to this portion of the law as the Alien Nonpayment Provision (ANP).<sup>1</sup>

We recently reviewed the Estonian social insurance system to determine if it meets the criteria for an ANP exception. This is a new finding about the social insurance system of Estonia under the ANP. As a result of this finding, citizens of Estonia may continue receiving benefits under title II of the Act after 6 consecutive calendar months outside the United States.

### Background

The ANP, section 202(t) of the Act, prohibits payment of title II benefits to individuals who are not U.S. citizens or nationals for any month after they have been outside the United States for more than 6 consecutive calendar months. Beneficiaries who meet one of the exceptions in the ANP may continue to receive benefits under title II without regard to absence from the United States. Some of these exceptions require that dependents and survivors meet a 5-year U.S. residency requirement for benefits to continue after 6 consecutive calendar months of absence from the United States.<sup>2</sup>

To determine whether the social insurance or pension system meets the criteria for an exception under section 202(t) of the Act, we review the foreign country's laws. In addition, we review information and data that we receive from the administrators of the social

insurance or pension system of that country. The Commissioner of the Social Security Administration publishes these findings in the **Federal Register**.

Previously, we determined that the social insurance system of Estonia did not meet the exception under section 202(t)(2) of the Act because, although the social insurance system satisfied the requirements of section 202(t)(2)(A), it did not satisfy the requirements of section 202(t)(2)(B). The system did not meet subparagraph (B) because Estonia restricted the payment of its pension abroad. We published this determination in the **Federal Register** on February 26, 1993.<sup>3</sup>

The Estonian government informed us that they passed an amendment, effective January 1, 2018, which allowed payment of all benefits outside of Estonia. In April 2018, we received a completed SSA–142 *Report of Social Insurance or Pension System*, submitted by the Ministry of Social Affairs of Estonia. We initiated an analysis to reach the finding we describe here.

### Finding

Section 202(t)(2) of the Act provides that the prohibition against payment shall not apply to individuals who are citizens of a foreign country that the Commissioner of Social Security finds has a social insurance or pension system that is in effect and of general application in such country, and that:

(A) Pays periodic benefits, or the actuarial equivalent thereof, on account of old age, retirement, or death; and

(B) permits individuals who are U.S. citizens but not citizens of that country and who qualify for benefits to receive those benefits, or the actuarial equivalent thereof, while outside the foreign country regardless of the duration of the absence.

We find that, beginning January 1, 2018, Estonia met all of the required criteria of section 202(t)(2) of the Act because it had a social insurance system that was in effect, was of general application, and met the conditions in subparagraphs (A) and (B).

Our finding that the exception under section 202(t)(2) applies to citizens of Estonia is subject to section 202(t)(11) of the Act. Section 202(t)(11) requires that dependent and survivor title II beneficiaries must also have resided in the United States for a total period of 5 years or more while in a qualifying relationship with the individual on whose earnings the benefits are based.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—

Disability Insurance; 96.002, Social Security—Retirement Insurance; and 96.004, Social Security—Survivors Insurance)

The Acting Commissioner of Social Security, Kило Kijakazi, having reviewed and approved this document, is delegating the authority to electronically sign this document to Faye I. Lipsky, who is the primary Federal Register Liaison for SSA, for purposes of publication in the **Federal Register**.

**Faye I. Lipsky,**

*Federal Register Liaison, Office of Legislation and Congressional Affairs, Social Security Administration.*

[FR Doc. 2022–10440 Filed 5–13–22; 8:45 am]

**BILLING CODE 4191–02–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2021–0047; Notice 1]

### Cooper Tire & Rubber Company, Receipt of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Receipt of petition.

**SUMMARY:** Cooper Tire & Rubber Company (Cooper Tire), has determined that certain Cooper CS5 Grant Touring and Cooper Evolution Tour replacement passenger car tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. Cooper Tire filed a noncompliance report dated April 28, 2021, and subsequently, Cooper Tire petitioned NHTSA on May 12, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces receipt of Cooper Tire's petition.

**DATES:** Send comments on or before June 15, 2022.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- **Mail:** Send comments by mail addressed 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.

<sup>1</sup> Section 202(t) of the Act, 42 U.S.C. 402(t).

<sup>2</sup> Section 202(t)(2), (4), (11) of the Act, 42 U.S.C. 402(t)(2), (4), (11).

<sup>3</sup> 58 FR 11612 (Feb. 26, 1993).

- **Hand Delivery:** Deliver comments by hand 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. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal holidays.

- **Electronically:** Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov/>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov/> by following the online instructions for accessing the docket. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477-78).

**FOR FURTHER INFORMATION CONTACT:** Jayton Lindley, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (325) 655-0547.

**SUPPLEMENTARY INFORMATION:**

## I. Overview

Cooper Tire has determined that certain Cooper CS5 Grand Touring and Cooper Evolution Tour replacement passenger car tires do not fully comply with the requirements of paragraph S5.5.1(b) of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles* (49 CFR 571.139). Cooper Tire filed a noncompliance report dated April 28, 2021, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Cooper Tire subsequently petitioned NHTSA on May 12, 2021, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

This notice of receipt of Cooper Tire's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any Agency decision or other exercise of judgment concerning the merits of the petition.

## II. Tires Involved

Approximately 294 Cooper CS5 Grand Touring, size 225/50R18, and Cooper Evolution Tour, size 225/60R16, replacement passenger car tires, manufactured between February 14, 2021, and March 27, 2021, are potentially involved.

## III. Noncompliance

Cooper Tire explains that the noncompliance is that the subject tires were molded with an upside down and backwards serial week and year on the outboard sidewall as required by paragraph S5.5.1(b) of FMVSS No. 139.

## IV. Rule Requirements

Paragraph S5.5.1(b) of FMVSS No. 139 includes the requirements relevant to this petition.

- Each tire must be labeled with the tire identification number required by 49 CFR part 574, which includes the date code, on the intended outboard sidewall of the tire.

## V. Summary of Cooper Tire's Petition

The following views and arguments presented in this section, "V. Summary of Cooper Tire's Petition," are the views and arguments provided by Cooper Tire. They have not been evaluated by the Agency and do not reflect the views of the Agency. Cooper Tire describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Cooper Tire submitted the following reasoning:

1. The tires subject to this petition, on their outboard side only, were molded with an upside down and backwards DOT serial week and year. The serial number stampings should read: DOT U9 X3 1 LP 0721 and UP 78 1CW 1221. The outboard side, which includes the date code, was molded with the date code information oriented incorrectly upside down and backwards, which resulted in the characters being out of proper sequence.

2. Cooper contends that the 294 tires subject to this petition meet and/or exceed all performance requirements and all other labeling markings as required by FMVSS No. 139.

3. Furthermore, Cooper Tire says that is not aware of any crashes, injuries, customer complaints, or field reports associated with the subject tires involved in this petition.

4. Cooper Tire believes that the upside down and backward date code will not cause confusion for the consumer or dealer that is selecting and mounting the tire, as the error is quite obvious, and there is no logical reading or interpretation of the date code in its upside down and backward position. Cooper Tire also believes that consumers and dealers will easily be able to see the issue and correctly identify the date code.

5. Cooper believes the following NHTSA statements, taken from another petition, apply to its petition: "The purpose of the date code is to identify a tire so that, if necessary, the appropriate action can be taken in the interest of public safety—such as a safety recall notice." *See* Bridgestone/Firestone, Inc., 64 FR 29080 (May 28, 1999); *see also* Cooper Tire & Rubber Company, 68 FR 16115 (April 2, 2003). Furthermore, Cooper feels the following NHTSA statement applies to its petition, "[t]he agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is the effect of the noncompliance on the ability of the tire manufacturer to identify the tires in the event of recall." *See* Bridgestone/Firestone, Inc., 66 FR 45076 (Aug. 27, 2001).

6. Cooper also stated that NHTSA has granted petitions and found that TIN noncompliance is inconsequential to safety in cases where the TIN is out of sequence or mislabeled. *See*, Bridgestone/Firestone North America Tire, LLC, 71 FR 4396 (Jan. 26, 2006) (granting petition where date code was missing because manufacturer could still identify and recall the tires); Cooper Tire & Rubber Company, 68 FR 16115 (April 2, 2003) (granting petition where

tires were labeled with wrong plant code, because “the tires have a unique DOT identification”); Bridgestone/Firestone, Inc., 66 FR 45076 (Aug. 27, 2001) (granting petition where the date code was labeled incorrectly, because “the information included on the tire identification label and the manufacturer’s tire production records is sufficient to ensure that these tires can be identified in the event of a recall”); Bridgestone/Firestone, Inc., 64 FR 29080 (May 28, 1999) (granting petition where the wrong year was marked in date code on the tires); Cooper Tire & Rubber Company; 63 FR 29059 (May 27, 1998) (granting petition where date code was missing where tires had a unique TIN for recall purposes); Bridgestone/Firestone, Inc., 60 FR 57617 (Nov. 16, 1995) (granting petition where date code was out of sequence); Uniroyal Goodrich Tire Company, 59 FR 64232 (Dec. 13, 1994) (granting petition where week and year were mislabeled on tires).

Cooper Tire concludes that the subject noncompliance is inconsequential as it relates to motor vehicle safety and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject tires that Cooper Tire no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after Cooper Tire notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

**Otto G. Matheke, III,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2022–10438 Filed 5–13–22; 8:45 am]

**BILLING CODE 4910–59–P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT–OST–2022–0053]

### Notice To Establish the Advisory Committee on Transportation Equity

**AGENCY:** Office of the Secretary (OST), Department of Transportation (DOT).

**ACTION:** Notice of the establishment of the Advisory Committee on Transportation Equity.

**SUMMARY:** The Office of the Secretary of Transportation (OST) announces the establishment of the Advisory Committee on Transportation Equity. The Secretary has determined that establishing the Advisory Committee on Transportation Equity is necessary and in the public interest.

**DATES:** The Advisory Committee on Transportation Equity will operate for two years after the filing date of its charter that will meet the 15-days requirements of the **Federal Register** Notice, unless otherwise renewed in accordance with FACA.

**FOR FURTHER INFORMATION CONTACT:** Advisory Committee on Transportation Equity Designated Federal Officer, Portia Allen-Kyle, Senior Advisor, Departmental Office of Civil Rights, Office of the Secretary, [portia.allenkyle@dot.gov](mailto:portia.allenkyle@dot.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces the establishment of the Advisory Committee on Transportation Equity as a Federal Advisory Committee in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. app. 2) to provide information, advice, and recommendations to the Secretary on comprehensive, interdisciplinary issues related to civil rights and transportation equity in the planning, design, research, policy, and advocacy contexts. The Committee is tasked with providing advice and recommendations to the Secretary about approaches to achieving the Department’s equity goals. The Committee will only undertake tasks assigned to it by the Secretary. The **Federal Register** Notice will be published 15 days prior to filing the charter with Congress.

This notice is provided in accordance with the Federal Advisory Committee Act. Please see the Advisory Committee on Transportation Equity website at <https://www.transportation.gov/civil-rights/acte>.

Issued in Washington, DC, on May 11, 2022.

**Irene B. Marion,**

*Director, Departmental Office of Civil Rights, U.S. Department of Transportation.*

[FR Doc. 2022–10489 Filed 5–13–22; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT–OST–2022–0054]

### Solicitation of Nominations for Membership to the Advisory Committee on Transportation Equity

**AGENCY:** Office of the Secretary (OST), Department of Transportation (DOT).

**ACTION:** Solicitation of nominations for membership to the Advisory Committee on Transportation Equity.

**SUMMARY:** The Office of the Secretary of Transportation (OST) calls for applications to the Advisory Committee on Transportation Equity.

**DATES:** Applications for the Advisory Committee on Transportation Equity are due June 15, 2022.

**FOR FURTHER INFORMATION CONTACT:** Advisory Committee on Transportation Equity Designated Federal Officer, Portia Allen-Kyle, Senior Advisor, Departmental Office of Civil Rights, Office of the Secretary, [portia.allenkyle@dot.gov](mailto:portia.allenkyle@dot.gov).

**SUPPLEMENTARY INFORMATION:** This notice calls for applications from the public for membership to the Advisory Committee on Transportation Equity, established as a Federal Advisory Committee in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. app. 2) to provide information, advice, and recommendations to the Secretary on comprehensive, interdisciplinary issues related to civil rights and transportation equity in the planning, design, research, policy, and advocacy contexts. The Committee is tasked with providing advice and recommendations to the Secretary about approaches to achieving the Department’s equity goals. The Committee will only undertake tasks assigned to it by the Secretary. Members of The Committee may be selected to serve either as representatives of an organization or as members appointed solely for their expertise. Interested persons should submit a letter of interest and a statement of qualifications, such as a resume to both [portia.allenkyle@dot.gov](mailto:portia.allenkyle@dot.gov) and [equity@dot.gov](mailto:equity@dot.gov).

Please see the Advisory Committee on Transportation Equity website at <https://www.transportation.gov/civil-rights/acte>.