

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## FEDERAL RESERVE SYSTEM

### 12 CFR Part 235

[Regulation II; Docket No. R-1818]

RIN 7100-AG67

#### Debit Card Interchange Fees and Routing; Extension of Comment Period

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** On November 14, 2023, the Board of Governors of the Federal Reserve System (Board) published in the *Federal Register* a proposal that would update all three components of Regulation II's interchange fee cap based on the latest data reported to the Board by large debit card issuers, update the interchange fee cap every other year going forward by directly linking the interchange fee cap to data from the Board's biennial survey of large debit card issuers, and implement a set of technical revisions to the regulation. The proposal provided for a comment period ending on February 12, 2024. The Board is extending the comment period for 90 days, until May 12, 2024. Further, additional data concerning the proposed new methodology for determining the base component of the interchange fee cap are being made available on the Board's website.

**DATES:** The comment period for the proposed rulemaking published on November 14, 2023 (88 FR 78100) is extended. Comments must be received by May 12, 2024.

**ADDRESSES:** You may submit comments by any of the methods identified in the proposal.

#### FOR FURTHER INFORMATION CONTACT:

Benjamin Snodgrass, Senior Counsel (202-263-4877) or Cody Gaffney, Senior Attorney (202-452-2674), Legal Division; or Krzysztof Wozniak, Section Chief (202-452-3878) or Elena Falcettoni, Senior Economist (202-452-2528), Division of Reserve Bank

Operations and Payment Systems. For users of TTY-TRS, please call 711 from any telephone, anywhere in the United States or (202) 263-4869.

**SUPPLEMENTARY INFORMATION:** On November 14, 2023, the Board published in the *Federal Register* a proposal that would update all three components of Regulation II's interchange fee cap based on the latest data reported to the Board by large debit card issuers, update the interchange fee cap every other year going forward by directly linking the interchange fee cap to data from the Board's biennial survey of large debit card issuers, and implement a set of technical revisions to the regulation.<sup>1</sup>

The proposal provided for a comment period ending on February 12, 2024. Since the publication of the proposal, multiple commenters have requested that the Board extend the comment period, while one commenter has expressed opposition to any extension. An extension of the comment period will provide additional opportunity for interested parties to consider the proposal and prepare comments. Therefore, the Board is extending the end of the comment period for the proposal from February 12, 2024, to May 12, 2024.

In addition, to assist the public in commenting on the proposed new methodology for determining the base component of the interchange fee cap, additional data concerning this aspect of the proposal are being made available on the Board's website.<sup>2</sup>

By order of the Board of Governors of the Federal Reserve System, acting through the Secretary of the Board under delegated authority, January 22, 2024.

**Ann E. Misback,**

*Secretary of the Board.*

[FR Doc. 2024-01612 Filed 1-26-24; 8:45 am]

#### BILLING CODE P

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Part 1263

[Docket No. CPSC-2024-0004]

#### Petition Requesting Rulemaking To Amend the Requirement for a "Keep Out of Reach" Icon on Button Cell or Coin Battery Packaging

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Request for comment on petition for rulemaking.

**SUMMARY:** The U.S. Consumer Product Safety Commission (Commission or CPSC) received a petition requesting an amendment to its rule on button cell or coin battery packaging to allow for a smaller "Keep out of Reach" icon on the principal display panel for packages of button cell or coin batteries (Petition). The Commission invites written comments concerning this Petition.

**DATES:** Submit comments by March 29, 2024.

**ADDRESSES:** Submit comments, identified by Docket No. CPSC-2024-0004, by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. CPSC typically does not accept comments submitted by email, except as described below. CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal.

*Mail/Hand Delivery/Courier/Confidential Written Submissions:* Submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: (301) 504-7479. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

*Instructions:* All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to:

<sup>1</sup> 88 FR 78100 (Nov. 14, 2023).

<sup>2</sup> The additional data are being made available on the Reports and Data Collections page of the Regulation II section of the Board's website. See <https://www.federalreserve.gov/paymentsystems/regii-data-collections.htm>.

<https://www.regulations.gov>. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If you wish to submit such information, please submit it according to the instructions for mail/hand delivery/courier/confidential written submissions.

**Docket:** For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, and insert the docket number, CPSC–2024–0004, into the “Search” box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:**

Alberta E. Mills, Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: 301–504–7479; [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** On September 21, 2023, as part of its implementation of Reese’s Law (Pub. L. 117–171, 15 U.S.C. 2056e), the Commission published a Safety Standard for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries, codified at 16 CFR part 1263. 88 FR 65296 (battery package labeling); 88 FR 65274 (consumer products).<sup>1</sup> As proposed in the notice of proposed rulemaking (88 FR 8692 (Feb. 9, 2023)), the final rule for battery package labeling requires that packages of button cell or coin batteries contain on their principal display panel a warning label with text required to meet Reese’s Law, and a “Keep out of Reach” icon at least 8 mm in diameter. However, if space prohibits the full warning with the “Keep out of Reach” icon in accordance with the text formatting requirements, the packaging is alternatively required to use the “Keep out of Reach” icon on the principal display panel and the warning text must be placed on the secondary display panel. In this instance, the icon must be at least 20 mm (0.79 in.) in diameter for visibility. 16 CFR 1263.4(b)(2)).

On November 1, 2023, the Commission received a petition from Elliott Alexander (Petitioner), President

of Micropower Battery Company. The Petition requests the Commission to modify the rule for battery package labeling to allow for a smaller “Keep out of Reach” icon when space prohibits the full warning on the principal display panel, suggesting a minimum icon size of 8 mm, and allowing a scaled icon depending on the size of the packaging up to a 20 mm icon. The Petition includes example images of existing battery packaging to demonstrate space limitations. The Petition alleges that existing packaging has been made child-resistant, but if a 20 mm icon is required on the front of the package, then manufacturers will collectively be required to spend millions of dollars on production of larger packages and different package configurations. The Petition also questions why an additional “Keep out of Reach” icon is necessary on the front packaging when batteries 16 mm and larger already include the same icon on each battery, which is visible through the packaging.

The Petition requests an amendment to the final rule to allow “Keep out of Reach” icons on the primary display panel to be between 8 to 20 mm, depending on the packaging, and alternatively to allow the words “Keep Away from Children” on the front of battery packaging. In a December 28, 2023, letter to Commission staff (Follow-Up Letter), the Petitioner further explains why he believes battery packaging cannot be reconfigured to allow space for a 20 mm icon on the principal display panel, and provides a proposed sliding scale for “Keep out of Reach” icon sizes from 7 to 40 mm.

The Petition and the Follow-Up Letter are available at: <http://www.regulations.gov>, under Docket No. CPSC–2024–0004, Supporting and Related Materials. Alternatively, interested parties may obtain a copy of the Petition and the Follow-Up Letter by writing or calling the Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: 301–504–7479; [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov). The Commission seeks comment on all aspects of the Petition and the Follow-Up Letter, including:

- Whether the Petition presents any issues or evidence that could not have been presented to the Commission during the comment period on the notice of proposed rulemaking, prior to adoption of the final rule establishing the requirement for a 20 mm “Keep out of Reach” icon. See Comment Summaries A and B, 88 FR at 65300 (noting comments stating similar concerns to those identified in the Petition); and

- Whether, if a 20 mm “Keep out of Reach” icon in sticker format is used on the outside of battery packaging, including over a packaged battery, to meet the requirements of the current rule, the permanency of such a sticker should be tested in accordance with the permanency test in UL 4200A or another standard, and whether such a sticker could be a cost-effective way to meet the product safety requirement for small packages.

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 2024–01235 Filed 1–26–24; 8:45 am]

**BILLING CODE 6355–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[WC Docket No. 17–84; Report No. 3209; FR ID 198691]

### Petitions for Reconsideration of Action in Rulemaking Proceeding

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for Reconsideration.

**SUMMARY:** Petition for Reconsideration (Petitions) have been filed in the Commission’s proceeding Aryeh B. Fishman, on behalf of Edison Electric Institute.

**DATES:** Oppositions to the Petitions must be filed on or before February 13, 2024. Replies to oppositions must be filed on or before February 8, 2024.

**ADDRESSES:** Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** For additional information on this proceeding, contact Michael Ray of the Wireline Competition Bureau, Competition Policy Division, at (202) 418–0357 or [Michael.Ray@fcc.gov](mailto:Michael.Ray@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s document, Report No. 3209, released January 22, 2024. The full text of the Petitions can be accessed online via the Commission’s Electronic Comment Filing System at: <http://apps.fcc.gov/ecfs/>. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. 801(a)(1)(A), because no rules are being adopted by the Commission.

**Subject:** Accelerating Wireline Broadband Deployment by Removing

<sup>1</sup> The requirements for battery package labeling were published separately from the requirements for consumer products that contain or use button cell or coin batteries because the Commission adopted battery compartment requirements for consumer products from ANSI/UL 4200A, *Standard for Safety for Products Incorporating Button Batteries or Coin Cell Batteries*, approved on August 30, 2023 (UL 4200A–2023), which does not address battery package labeling.

<sup>2</sup> On January 17, 2024, the Commission voted (3–1) to publish this notice.