

1, 78o, 78o–4, 78o–8, 78p, 78q, 78s, 78u–5, 78w, 78x, 78dd(b), 78dd(c), 78 ll, 78mm, 80a–20, 80a–23, 80a–29, 80a–37, 80b–3, 80b–4, 80b–11, 7201 *et seq.*, and 8302; 18 U.S.C. 1350; 12 U.S.C. 5221(e)(3), and Pub. L. 111–203, Sec. 1502, 124 Stat. 1376.

Description: The Commission adopted a new form and rule pursuant to Section 1502 of the Dodd-Frank Act relating to the use of conflict minerals. Section 1502 added Section 13(p) to the Securities Exchange Act of 1934 (“Exchange Act”), which required the Commission to promulgate rules requiring issuers with conflict minerals that are necessary to the functionality or production of a product manufactured by such person to disclose annually whether any of those minerals originated in the Democratic Republic of the Congo or an adjoining country. If an issuer’s conflict minerals originated in those countries, Section 13(p) required the issuer to submit a report to the Commission that includes a description of the measures it took to exercise due diligence on the conflict minerals’ source and chain of custody. The measures taken to exercise due diligence must include an independent private sector audit of the report that is conducted in accordance with standards established by the Comptroller General of the United States. Section 13(p) also required the issuer submitting the report to identify the auditor and to certify the audit. In addition, Section 13(p) required the report to include a description of the products manufactured or contracted to be manufactured that are not “DRC conflict free,” the facilities used to process the conflict minerals, the country of origin of the conflict minerals, and the efforts to determine the mine or location of origin. Section 13(p) required the information disclosed by the issuer to be available to the public on its internet website.¹

Prior RFA Analysis: When the Commission adopted the new form and rule on August 22, 2012, it published a Final Regulatory Flexibility Analysis in the adopting release, Release No. 34–67716, available at: <https://www.federalregister.gov/documents/2012/09/12/2012-21153/conflict-minerals>.

www.federalregister.gov/documents/2012/09/12/2012-21153/conflict-minerals. The Commission solicited comment on the Initial Regulatory Flexibility Analysis included in the proposing release, Release No. 34–63547 (Dec. 15, 2010), available at <https://www.federalregister.gov/documents/2010/12/23/2010-31940/conflict-minerals>, and considered comments received at that time.

* * * * *

Title: Listing Standards for Compensation Committees.

Citation: 17 CFR 229.407 and 17 CFR 240.10C–1.

Authority: 15 U.S.C. 77c, 77d, 77e, 77f, 77g, 77h, 77j, 77k, 77s, 77z–2, 77z–3, 77aa(25), 77aa(26), 77ddd, 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77nnn, 77sss, 77ttt, 78c, 78d, 78e, 78f, 78g, 78i, 78j, 78j–1, 78j–3, 78k, 78k–1, 78l, 78m, 78n, 78n–1, 78o, 78o–4, 78p, 78q, 78s, 78u–5, 78w, 78x, 78ll, 78mm, 80a–8, 80a–9, 80a–20, 80a–23, 80a–29, 80a–30, 80a–31(c), 80a–37, 80a–38(a), 80a–39, 80b–3, 80b–4, 80b–11, and 7201 *et seq.*; and 18 U.S.C. 1350, and 12 U.S.C. 5221(e)(3), unless otherwise noted.

Description: The Commission adopted a new rule and amendments to its proxy disclosure rules to implement Section 952 of the Dodd-Frank Act, which added Section 10C to the Exchange Act. Section 10C required the Commission to adopt rules directing the national securities exchanges and national securities associations to prohibit the listing of any equity security of an issuer that is not in compliance with Section 10C’s compensation committee and compensation adviser requirements. In accordance with the statute, 17 CFR 240.10C–1 (Rule 10C–1) directs the national securities exchanges to establish listing standards that, among other things, require each member of a listed issuer’s compensation committee to be a member of the board of directors and to be “independent,” as defined in the listing standards of the national securities exchanges adopted in accordance with the final rule. In addition, pursuant to Section 10C(c)(2), the Commission adopted amendments to its proxy disclosure rules concerning issuers’ use of compensation consultants and related conflicts of interest.

Prior RFA Analysis: When the Commission adopted the new rule and amendments on June 20, 2012, it published a Final Regulatory Flexibility Analysis in the adopting release, Release No. 33–9330, available at: [https://www.federalregister.gov/documents/2012/06/27/2012-15408/listing-standards-for-compensation-](https://www.federalregister.gov/documents/2012/06/27/2012-15408/listing-standards-for-compensation-committees)

[committees](https://www.federalregister.gov/documents/2011/04/06/2011-7948/listing-standards-for-compensation-committees). The Commission received no comments on its Initial Regulatory Flexibility Analysis published in the proposing release, Release No. 33–9199 (Mar. 30, 2011), available at <https://www.federalregister.gov/documents/2011/04/06/2011-7948/listing-standards-for-compensation-committees>. However, other comments received that addressed aspects of the proposed rule that could potentially affect small entities were considered at that time.

* * * * *

By the Commission.

Dated: June 17, 2022.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2022–13410 Filed 6–23–22; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–106384–20]

RIN 1545–BQ14

Mortality Tables for Determining Present Value Under Defined Benefit Pension Plans; Hearing Cancellation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of public hearing on proposed rulemaking.

SUMMARY: This document cancels a public hearing on proposed regulations prescribing mortality tables to be used for most defined benefit pension plans.

DATES: The public hearing, originally scheduled for Tuesday, June 28, 2022, at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Regina Johnson of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 317–5177 (not a toll-free number) or at publichearings@irs.gov.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Thursday, April 28, 2022 (87 FR 25161) announced that a public hearing to be held by teleconference was scheduled for Tuesday, June 28, 2022 at 10 a.m. The subject of the public hearing is under section 430 of the Internal Revenue Code.

The public comment period for these regulations expired on June 9, 2022. The notice of proposed rulemaking and

¹ In April 2014, the U.S. Court of Appeals for the District of Columbia Circuit rejected challenges to the bulk of the SEC conflict minerals rule but held that Section 1502 of the Dodd-Frank Act and the rule violate the First Amendment to the extent that they require regulated entities to report to the SEC and to state on their website that any of their products “have not been found to be DRC conflict free.” *Nat’l Ass’n of Mfrs. v. SEC*, 748 F.3d 359 (D.C. Cir. Apr. 14, 2014). In April 2017, the U.S. District Court for the District of Columbia remanded the case to the Commission. *Nat’l Ass’n of Mfrs. v. SEC*, No. 13–635 (D.D.C. Apr. 3, 2017) (Doc. No. 47) (Final Judgment).

notice of hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be discussed. Requests to speak and outlines were due on June 9, 2022. As of the end of the day on June 14, 2022, no one requested to speak. Therefore, the public hearing scheduled for June 28, 2022, at 10 a.m. is cancelled.

Oluwafunmilayo A. Taylor,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).

[FR Doc. 2022–13491 Filed 6–23–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 310

[Docket ID DoD–2022–OS–0066]

RIN 0790–AL08

Privacy Act of 1974; Implementation

AGENCY: Office of the Secretary of Defense (OSD), Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: The Department of Defense (Department or DoD) is giving concurrent notice of a new Department-wide system of records pursuant to the Privacy Act of 1974 for the DoD–0010, “Counterintelligence Functional Services” system of records and this proposed rulemaking. In this proposed rulemaking, the Department proposes to exempt portions of this system of records from certain provisions of the Privacy Act because of national security, law enforcement, and employment suitability mission areas.

DATES: Send comments on or before August 23, 2022.

ADDRESSES: You may submit comments, identified by docket number, Regulation Identifier Number (RIN), and title, by any of the following methods.

* *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number or RIN for this **Federal**

Register document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <https://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Rahwa Keleta, Defense Privacy and Civil Liberties Division, Directorate for Privacy, Civil Liberties and Freedom of Information, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Department of Defense, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700; OSD.DPCLTD@mail.mil; (703) 571–0070.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, the DoD is establishing a new DoD-wide system of records titled “Counterintelligence Functional Services,” DoD–0010. This system of records notice describes DoD’s collection, use, and maintenance of records about counterintelligence functional services (CIFS). The purpose of CIFS is to protect Department resources and personnel from foreign adversaries who seek to exploit sensitive information, operations, and programs to the detriment of the U.S. government. The system of records consists of both electronic and paper records and will be used by DoD components and offices to maintain records about individuals in support of the Counterintelligence (CI) mission for the Department. DoD is authorized to maintain records on individuals to protect against espionage, intelligence activities, sabotage, or assassinations conducted by foreign entities or international terrorists. CIFS activities support the following CI missions: countering espionage; countering international terrorism; and providing support to force protection, research, development, and acquisition activities. CIFS also include assessments of CI incidents and DoD-required CI reporting conducted throughout the DoD enterprise. Not included in this system of records are records concerning CI investigations or CI collection activities.

The CIFS records contain information on both Federal employees and members of the public. The CIFS system of records contains data derived from individuals, government records (Federal, State, and local, tribal, and

foreign) and information collected directly from the public.

II. Privacy Act Exemption

The Privacy Act allows federal agencies to exempt eligible records in a system of records from certain provisions of the Act, including those that provide individuals with a right to request access to and amendment of their own records. If an agency intends to exempt a particular system of records, it must first go through the rulemaking process to provide public notice and an opportunity to comment on the proposed exemption. This proposed rule explains why exemptions are being claimed for this system of records and invites public comment, which DoD will consider before the issuance of a final rule implementing those exemptions.

The DoD proposes to amend 32 CFR part 310 to add a new Privacy Act exemption rule for the DoD–0010, “Counterintelligence Functional Services” system of records. In this proposed rulemaking, the Department proposes to exempt portions of this system of records from certain provisions of the Privacy Act because information in this system of records may fall within the scope of the following Privacy Act exemptions: 5 U.S.C. 552a(k)(1), 5 U.S.C. 552a(k)(2), and 5 U.S.C. 552a(k)(5).

DoD proposes to exempt this system of records because these records may contain classified national security information and providing notice, access, amendment, and disclosure of accounting of those records to an individual, as well as certain record-keeping requirements, may cause damage to national security. The Privacy Act, pursuant to 5 U.S.C. 552a(k)(1), authorizes agencies to claim an exemption for systems of records that contain information properly classified pursuant to executive order. The DoD therefore is proposing to claim an exemption from several provisions of the Privacy Act, including various access, amendment, disclosure of accounting, and certain record-keeping and notice requirements, to prevent disclosure of any information properly classified pursuant to executive order, as implemented by DoD Instruction 5200.01 and DoD Manual 5200.01, Volumes 1 and 3.

The DoD is also proposing this exemption rule because this system of records may contain investigatory material compiled for law enforcement purposes within the scope of 5 U.S.C. 552a(k)(2). This exemption allows DoD entities to claim an exemption for systems of records that contain