

Commission, phone numbers and email addresses, as well as locations of Area Representatives.

(k) Information about how to file a complaint alleging violations of the Shipping Act, and how to seek mediation or alternative dispute resolution services.

(l) Commonly used forms.

(m) Final and pending proposed rules.

(n) Access to statements of policy and interpretations as published in part 545 of this chapter.

(o) Lists of the location of all common carrier and conference tariffs and publically available terminal schedules of marine terminal operators.

§§ 503.23 and 503.24 [Removed and Reserved]

■ 6. Remove and reserve §§ 503.23 and 503.24.

Subpart D—Requests for Records Under the Freedom of Information Act

■ 7. Revise the subpart D heading to read as set forth above.

■ 8. Amend § 503.31 by revising paragraphs (a) and (d) to read as follows:

§ 503.31 Records available upon written request under the Freedom of Information Act.

(a) *Generally.* Many documents are available on the Commission's public Web site and the Commission encourages requesters visit the Web site before making a request for records under FOIA.

(1) *Electronic or written requests.* A member of the public may request permission to inspect, copy or be provided with any Commission record not described in subpart C of this part or posted on the Commission's Web site at www.fmc.gov. Such a request must:

(i) Reasonably describe the record or records sought;

(ii) Be submitted electronically to FOIA@fmc.gov or in writing to the Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573.

(iii) Be clearly marked on the subject line of an email or on the exterior of the envelope with the term "FOIA."

(2) [Reserved]

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(d) Certain fees may be assessed for processing requests under this subpart as prescribed in subpart F of this part.

■ 9. Amend § 503.32 by revising paragraphs (a)(1), (a)(3)(i)(B), (a)(3)(ii), (d), and (e)(1) and (4) and adding paragraphs (b)(4) and (5) to read as follows:

§ 503.32 Procedures for responding to requests made under the Freedom of Information Act.

(a) * * *

(1) Such determination shall be made by the Secretary within twenty (20) business days after receipt of such request, except as provided in paragraphs (b) and (e)(4) of this section.

* * * * *

(3)(i) * * *

(B) Be filed not later than thirty (30) calendar days following receipt of notification of full or partial denial of records requested.

(ii) The Chairman or the Chairman's specific delegate, in his or her absence, shall make a determination with respect to that appeal within twenty (20) business days after receipt of such appeal, except as provided in paragraph (b) of this section.

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(b) * * *

(4) The Secretary may make an initial written request to the requestor for information to clarify the request which will toll the 20-day processing period until such information has been received. The 20-day processing period will recommence after receipt of the requested information.

(5) The Secretary may also make written requests to clarify issues regarding fee assessments. Such written requests will toll the 20-day processing period until such information has been received from the requestor. The 20-day processing period will recommence after receipt of the requested information.

* * * * *

(d) *Multitrack processing of requests.*

The Secretary uses multitrack processing of FOIA requests. Requests which seek and are granted expedited processing are put on the expedited track. All other requests are designated either simple or complex requests based on the amount of time and/or complexity needed to process the request. A request may be considered simple if it involves records that are routinely requested and readily available.

(e) *Expedited processing of requests.*

(1) The Secretary will provide for expedited processing of requests for records when the person requesting the records can demonstrate a compelling need.

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(4) The Secretary shall determine whether to provide expedited processing, and provide notice of the determination to the person making the

request, within ten (10) calendar days after the receipt date of the request.

* * * * *

■ 10. Amend § 503.34 by revising paragraph (a) to read as follows:

§ 503.34 Annual report of public information request activity.

(a) On or before February 1 of each year, the Commission must submit to the Attorney General of the United States, in the format required by the Attorney General, a report on FOIA activities which shall cover the preceding fiscal year pursuant to 5 U.S.C. 552(e).

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Subpart I—Public Observation of Federal Maritime Commission Meetings and Public Access to Information Pertaining to Commission Meetings

■ 11. Amend § 503.87 by revising paragraph (b) to read as follows:

§ 503.87 Effect of provisions of this subpart on other subparts.

* * * * *

(b) Nothing in this subpart shall permit the withholding from any individual to whom a record pertains any record required by this subpart to be maintained by the agency which record is otherwise available to such an individual under the provisions of subpart H of this part.

By the Commission.

Karen V. Gregory,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 43

[IB Docket No. 04-112 (Terminated); DA 15-711]

Reporting Requirements for U.S. Providers of International Telecommunications Services

AGENCY: Federal Communications Commission.

ACTION: Final rule; petition for reconsideration.

SUMMARY: In this Order, the Federal Communications Commission (Commission) dismisses the petition for reconsideration (Petition) of the *Second Report and Order* filed by Voice on the Net Coalition (Petitioner), seeking reconsideration of the Commission's decision to extend international traffic

and revenue reporting requirements to entities providing international calling service via Voice over Internet Protocol (VoIP) connected to the public switched telephone network (PSTN), and requiring submarine cable landing licensees to file reports identifying capacity they own or lease on each submarine cable. The Petition relies on facts and arguments that do not meet the requirements of the Commission's rules and the Petition plainly does not warrant consideration by the Commission.

DATES: September 1, 2015.

FOR FURTHER INFORMATION CONTACT:

David Krech, Policy Division, International Bureau at 202-418-7443; or Veronica Garcia-Ulloa, Policy Division, International Bureau at 202-418-0481.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order dismissing the petition for reconsideration, DA 15-711, adopted and released on June 17, 2015. Under the Commission's rules, petitions for reconsideration that rely on facts or arguments that have not previously been presented to the Commission will be considered only under certain limited circumstances and may be dismissed by the relevant bureau if they do not meet those circumstances. The Petition relies on facts and arguments that do not meet the requirements of § 1.429(b)(1) through (3) of the Commission's rules. Petitioner previously could have presented these facts and arguments to the Commission in response to the *Further Notice of Proposed Rulemaking* in this proceeding, but did not present. Accordingly, pursuant to § 1.429(l) of the Commission's rules, the Petition plainly does not warrant consideration by the Commission. The Order on Reconsideration is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Washington, DC 20554. The document is also available for download over the Internet at http://transition.fcc.gov/Daily_Releases/Daily_Business/2015/db0617/DA-15-711A1.pdf. The Commission will not send a copy of this Order pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this Order does not have an impact on any rules of particular applicability.

Federal Communications Commission.
Nese Guendelsberger,
Deputy Chief, International Bureau.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1842 and 1852

RIN 2700-AE14

NASA Federal Acquisition Regulation Supplement: Denied Access to NASA Facilities (2015-N002)

AGENCY: National Aeronautics and Space Administration.

ACTION: Final rule.

SUMMARY: NASA is issuing a final rule amending the NASA Federal Acquisition Regulation Supplement (NFS) to delete the observance of legal holidays clause with its alternates and replace it with a new clause that prescribes conditions and procedures pertaining to the closure of NASA facilities.

DATES: Effective: October 1, 2015.

FOR FURTHER INFORMATION CONTACT:

Andrew O'Rourke, NASA Office of Procurement, Contract and Grant Policy Division, 202-358-4560, email: andrew.orourke@nasa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A proposed rule was published on May 13, 2015 (80 FR 27278) to delete NASA FAR Supplement (NFS) clause 1852.242-72, Observance of Legal Holidays with its alternates and replace it with a new clause that prescribes conditions and procedures pertaining to the closure of NASA facilities. NFS clause 1852.242-72, Observance of Legal Holidays with its alternates, was included in Agency contracts where contractor performance was to be performed on a NASA facility. It was intended to identify dates that Government employees would not be available and provide notification to contractors of those dates considering that the absence of Government employees might impact contractor performance or contractor access to NASA facilities. Further, the same clause has two alternates, the first addresses contractors who are denied access to NASA workspaces within a NASA facility and the second addresses other instances, such as weather and safety emergencies, which could result in contractors being denied access to the entire NASA facility. Recent events, especially the Government shut-down during October 2013, have revealed a need for NASA to be more specific and to differentiate between these two conditions when contractor employees may be denied access to NASA workspaces or the entire NASA facility.

The fact that Government employees may not be at a NASA facility is not an automatic reason for contractor personnel not to be required to be present at their required NASA workspace on a NASA facility. Unless a contractor is denied access to the NASA facility, contractors are expected to perform in accordance with their contractual requirements. This NFS change provides clarity and information beneficial to NASA contractors that are denied access to a NASA facility when a NASA facility is closed to all personnel. Specifically, the change deletes the prescription at NFS 1842.7001, Observance of Legal Holidays, in its entirety, and clause 1852.242-72, Observance of Legal Holidays, with alternates, and replaces it with the prescription at NFS 1842.7001 Denied Access to NASA Facilities and clause 1852.242-72, Denied Access to NASA Facilities, respectively. The clause would be included in solicitations and contracts where contractor personnel would be required to work onsite at a NASA facility.

II. Discussion and Analysis

NASA published a proposed rule in the **Federal Register** on May 13, 2015 (80 FR 27278). The sixty-day public comment period expired on July 13, 2015. NASA received comments from one respondent. NASA reviewed the respondent's comments in the formation of the final rule. No revisions to the proposed rule were made as a result of the public comments received. A discussion of the comments is provided as follows:

A. Retain Existing Language

Comment: The respondent submitted a comment indicating that it was in the best interest of both NASA and NASA contractors to retain the language of 48 CFR parts 1842 and 1852 as it currently exists.

Response: NASA disagrees with retaining the existing NFS clause. As stated in the proposed rule, there was a need for NASA to be more specific when contractor employees may be denied access to NASA workspaces or the entire NASA facility. This revision to the NFS provides this clarity with information that is beneficial to both the Government and NASA contractors who are denied access to a NASA facility when that facility is closed to all personnel.

B. Revised Language is Less Clear

Comment: The respondent submitted a comment stating that the revised language in the proposed rule is actually