

July 29, 2013

Department of Commerce Progress Report for Executive Orders 13563 and 13610

**EXECUTIVE ORDER 13563**

**NOAA**

Agency	RIN/ OMB Control Number	Title of Rule	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
NOAA	0648– XC164	Final Rule Implementing a Targeted Acadian Redfish Fishery for Sector Vessels	This action expands on a previously approved sector exemption for fishing year 2012 by allowing groundfish sector trawl vessels to harvest redfish using nets with codend mesh as small as 4.5 inches (11.4 cm). This action was necessary in order to expand an exemption from current regulations and is intended to allow sector vessels the opportunity to increase redfish harvest and subsequent profitability, above what is already being harvested.	Published 03/05/13; effective 02/28/13	This action is one of several steps that NOAA is taking, in partnership with the New England Fisheries Management Council to provide fishing opportunities. This rule will increase operational flexibility and may allow some sectors to more fully harvest their redfish allocations.	Published 78 FR 14226
NOAA	0648- BC50	Exempted Fishery for the Spiny Dogfish Fishery in the Waters East and West of Cape Cod, MA	This action modified the regulations implementing the Northeast Multispecies Fishery Management Plan through an interim final rule to allow vessels fishing with a Northeast Federal spiny dogfish permit to fish in an area east of Cape Cod, MA, (Eastern Exemption Area) with gillnet and longline gear, from June through December and with handgear from June through August, and to fish in Cape Cod Bay (Western Exemption Area) with longline gear and handgear from June through August.  This action would allow vessels to harvest spiny dogfish in a manner that is consistent with the bycatch reduction objectives of the Northeast Multispecies Fishery Management Plan.	Published 05/07/13; effective 06/01/13	The approved exempted fishery will allow vessels to target spiny dogfish outside of the days-at-sea program in areas east and west of Cape Cod, Massachusetts, which will prevent calculated Northeast multispecies discards from being deducted from a sector’s annual catch entitlement at a higher rate than is actually occurring. It is estimated the exemption in this rule could save the fleet approximately \$24,000 a year in discards alone.	Published 78 FR 26518

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NOAA	RIN 0648-BC25	Regulatory amendment to revise requirements for the annual Crab Economic Data Reports under the Bering Sea and Aleutian Islands Crab Rationalization Program	This rule eliminated redundant reporting requirements, standardized reporting across participants, and reduced costs associated with the economic data collection program.	Published 06/17/13; effective 07/17/13	This rule reduces the burden on responders by creating online submittal for each of the three economic data reports, shorten time-to-complete for responders, and reduce the number of questions asked.	Published 78 FR 36122
NOAA	RIN 0648-BA93	Regulatory amendment to modify the Groundfish Retention Standard Program	This rule removed requirements that mandated minimum levels of groundfish retention. The groundfish retention standard program was implemented to increase the retention and utilization of groundfish; however, the regulatory methodology used to calculate compliance with the program resulted in significantly higher than predicted compliance costs.	Published 02/25/13; effective 03/27/13	This rule reduces compliance costs from the minimum retention rates while continuing to promote the goals of increased groundfish retention and utilization.	Published 78 FR 12627
NOAA	0648-BB79	Proposed Rule to Implement Changes to the Regulations for Designating Critical Habitat under the Endangered Species Act	This proposed rule clarifies procedures for designating and revising critical habitat and clarifies the meaning of "geographical area occupied by the species" by expanding the definition statement.	July 2013	These proposed amendments are based on review by NMFS and FWS of the regulations and are intended to add clarity for the public, clarify expectations regarding critical habitat and provide for a credible, predictable, and simplified critical-habitat-designation process.	Transmitted to OMB on April 25, 2013;
NOAA	0648-BB80	Proposed Rule to Amend the Definition of Destruction or Adverse Modification of Critical Habitat	This proposed rule would amend the definition of "destruction or adverse modification" to replace the invalidated definition with one that is consistent with the ESA and circuit court opinions.	July 2013	The proposed rule provides clear, consistent, and predictable application of the definition during our ESA Section 7 consultations. The changes make our regulation consistent with current practice (per internal memos).	Currently in review at OMB (transmitted April 25, 2013).

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		under the Endangered Species Act				
NOAA	0648-BB81	Proposed Rule to Amend the Regulations Governing the Issuance of Incidental Take Statements under Section 7 of the Endangered Species Act	This proposed rule amends the regulations governing consultation under Section 7 of the ESA regarding incidental take statements to clarify our regulations for affected Federal action agencies and the public.	July 2013	The proposed rule improves the flexibility of and clarifies development of incidental take statements. The proposed changes reduce burdens associated with incidental take statements by clarifying use of surrogates and providing an alternative mechanism for addressing take for programmatic actions.	Currently in review at OMB (transmitted March 15, 2013).
NOAA	0648-BC24	Final Rule to Revise Regulations for Conducting Impact Analyses for Critical Habitat Designations under the Endangered Species Act.	This final rule aligns NMFS and Fish & Wildlife Service's processes in conducting impact analyses for critical habitat designations.	July 2013	This final rule will allow the public to review our economic analyses at the same time we propose to designate critical habitat, thus making more information available to the public when it comments on proposed designations.	Currently in review at OMB (submitted on June 11, 2013).

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**BIS**

<b>Agency or Sub-agency</b>	<b>RIN/OMB Control Number</b>	<b>Title of Rule</b>	<b>Actual/Target Completion Date</b>	<b>Anticipated Savings in costs and/or information collection burdens and anticipated changes in benefits</b>	<b>Progress updates and anticipated accomplishments</b>
BIS	0694-AF03	Export Control Reform Initiative: Strategic Trade Authorization License Exception	06/16/2011 76 FR 35276	While reduction in burden hours for license applications (0694-0088) is somewhat offset by increased safeguards requirements for assurances against unauthorized reexports (0694-0137), giving exporters the option of an exception reduces uncertainty and turnaround time on the transaction; benefits include allowing the government to redirect resources from low-risk transactions to more complex national security and foreign policy concerns.	In order to determine the impact of the regulation on license applications and shipments, BIS's Office of Technology Evaluation (OTE) has prepared benchmark analysis of the use of Strategic Trade Authorization (STA) transactions, comparing pre-STA license applications and shipments with post-STA data. Based on the analysis, OTE found that from July 2011 to April 2013, 117 exporters have conducted 1,743 shipments under STA worth \$165.7 million. In addition, approved license applications for STA-eligible items decreased 8% from July 2010 to June 2012. OTE continues to track STA exports and license applications.
BIS	0694-AF17	Proposed Revision to the Export Administration Regulations: Control of Items the President Determines No Longer Warrant Control Under the United States Munitions List	07/15/2011 76 FR 41958	Increases in burden hours under 0694-0088 and 0694-0137 for less militarily significant items moved from State to Commerce control is expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on September 13, 2011. Comments addressed in final rule, "Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform," (04/16/2013, 78 FR 22660).
BIS	0694-AF36	Proposed Revision to the Export Administration Regulations: Control of Aircraft and Related Items the President Determines No Longer Warrant Control Under the United States	11/07/2011 76 FR 68675	Increases in burden hours under 0694-0088 and 0694-0137 for aircraft and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden	Public comment period closed on December 22, 2011. Comments addressed in final rule, "Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform" (04/16/2013, 78 FR 22660).

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		Munitions List		on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	
BIS	0694-AF41	Revisions to the Export Administration Regulations: Control of Gas Turbine Engines and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	12/06/2011 76 FR 76072	Increases in burden hours under 0694-0088 and 0694-0137 for gas turbine engines and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on January 20, 2012. Comments addressed in final rule, "Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform," (04/16/2013, 78 FR 22660).
BIS	0694-AF17	Revisions to the Export Administration Regulations: Control of Military Vehicles and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	12/06/2011 76 FR 76085	Increases in burden hours under 0694-0088 and 0694-0137 for military vehicles and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on January 20, 2012. Comments to be addressed in final rule, "Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List."
BIS	0694-AF42	Revisions to the Export Administration Regulations: Control of Vessels of War and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	12/23/2011 76 FR 80282	Increases in burden hours under 0694-0088 and 0694-0137 for items, primarily parts and components for vessels, moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on February 6, 2012. Comments to be addressed in final rule, "Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List."
BIS	0694-AF39	Revisions to the Export Administration Regulations: Control of Submersible Vessels, Oceanographic Equipment and Related Articles the President Determines No Longer Warrant	12/23/2011 76 FR 80291	Due to limited export and reexport trade in these items, little to no effect on burden should occur. Greater clarity with respect to jurisdiction is a benefit of this rule.	Public comment period closed on February 6, 2012. Comments to be addressed in final rule, "Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President

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		Control Under the United States Munitions List			Determines No Longer Warrant Control under the United States Munitions List.”
BIS	0694-AF17	Revisions to the Export Administration Regulations: Export Control Classification Number 0Y521 Series, Items Not Elsewhere Listed on the Commerce Control List (CCL)	04/13/2012 77 FR 22191	No effect on burden at publication; no items controlled under this classification at this time. The benefit of this rule is that it creates a temporary classification for items that warrant export control but are not yet identified on the CCL, while the U.S. Government works to adopt a control through the relevant multilateral regime(s); to determine an appropriate longer-term control over the item; or determines that the item does not warrant control on the CCL.	Final rule. Originally proposed in the 7/15/11 rule (76 FR 41958).
BIS	0694-AF53	Revisions to the Export Administration Regulations: Control of Energetic Materials and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	05/02/2012 77 FR 25932	Increases in burden hours under 0694-0088 and 0694-0137 for energetic materials and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on June 18, 2012. Comments generally supported the concept and offered numerous specific suggestions currently under review.
BIS	0694-AF51	Revisions to the Export Administration Regulations: Auxiliary and Miscellaneous Items that No Longer Warrant Control Under the United States Munitions List and Items on the Wassenaar Arrangement Munitions List	05/18/2012 77 FR 29564	Increases in burden hours under 0694-0088 and 0694-0137 for auxiliary and miscellaneous items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on July 2, 2012. Comments to be addressed in final rule, “Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List.”
BIS	0694-AF58	Revisions to the Export Administration Regulations: Control of Personal Protective Equipment, Shelters, and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	06/07/2012 77 FR 33688	Increases in burden hours under 0694-0088 and 0694-0137 for personal protective equipment, shelters, and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to	Public comment period closed on July 23, 2012. Comments generally supported the concept and offered numerous specific suggestions currently under review.

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				jurisdiction.	
BIS	0694-AF54	Revisions to the Export Administration Regulations: Control of Military Training Equipment and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	06/13/2012 77 FR 35310	Increases in burden hours under 0694-0088 and 0694-0137 for military training equipment and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on July 30, 2012. Comments generally supported the concept and offered numerous specific suggestions currently under review.
BIS	0694-AF66	“Specially Designed” Definition	06/19/2012 77 FR 36409	This proposed rule does not affect the jurisdiction of any items. BIS believes it will facilitate enhanced public understanding of a key term used extensively on the Commerce Control List. The term would also be used in controls that would apply to items transitioned from State to Commerce.	Public comment period closed on August 3, 2012. This rule re-proposed a definition originally proposed July 15, 2011, taking into account public comments received in response to that proposal. Comments on revised definition addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform,” (04/16/2013, 78 FR 22660).
BIS	0694-AF68	Feasibility of Enumerating “Specially Designed” Components	06/19/2012 77 FR 36419	This advance notice of proposed rulemaking solicits public comments with the intention of making the Commerce Control List more objective, which would aid compliance.	Public comment period closed on September 17, 2012. Comments currently under review.
BIS	0694-AF65	Proposed Revisions to the Export Administration Regulations: Implementation of Export Control Reform; Revisions to License Exceptions After Retrospective Regulatory Review	06/21/2012 77 FR 37524	In addition to proposing measures to ease the transition process for items moving from State to Commerce jurisdiction, this proposed rule, as a result of retrospective regulatory review, would streamline certain license exceptions to eliminate complex or outmoded provisions.	Public comment period closed on August 6, 2012. Comments addressed in final rule, “Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform,” (04/16/2013, 78 FR 22660).
BIS	0694-AF47	Revisions to the Export Administration Regulations: Control of Firearms and Related Articles the President Determines No Longer Warrant Control Under the United States	Projected publication date: TBD	Increases in burden hours under 0694-0088 and 0694-0137 for firearms and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See <a href="http://Reginfo.gov">Reginfo.gov</a> for more information.

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		Munitions List		on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	
BIS	0694-AF48	Revisions to the Export Administration Regulations: Control of Guns and Armament and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List	Projected publication date: TBD	Increases in burden hours under 0694-0088 and 0694-0137 for guns and armament, and related items, moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See <a href="http://Reginfo.gov">Reginfo.gov</a> for more information.
BIS	0694-AF49	Revisions to the Export Administration Regulations: Control of Ammunition and Ordnance the President Determines No Longer Warrant Control Under the United States Munitions List	Projected publication date: TBD	Increases in burden hours under 0694-0088 and 0694-0137 for ammunitions and ordnance moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See <a href="http://Reginfo.gov">Reginfo.gov</a> for more information.
BIS	0694-AF64	Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List	11/28/12 77 FR 70945	Increases in burden hours under 0694-0088 and 0694-0137 for military electronic equipment and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	Public comment period closed on January 28, 2013. Because of the extent of the revisions deemed necessary after interagency review of the public comments, BIS issued a second proposed rule on July 25, 2013.
BIS	0694-AF37	Revisions to the Export Administration Regulations (EAR) to Make the Commerce Control List (CCL) Clearer	11/29/12 77 FR 71214	No effect on burden hours. Because license requirements are often based on item classification according to the CCL, benefits include increased clarity to aid compliance and enforcement.	Public comment period closed on January 28, 2013. Final rule pending completion of OMB review pursuant to Executive Order 12866. See <a href="http://Reginfo.gov">Reginfo.gov</a> for more information.
BIS	0694-AF56	EAR Revision: Items Related to Launch Vehicles, Missiles,	1/31/13 78 FR 6750	Increases in burden hours under 0694-0088 and 0694-0137 for items related to launch vehicles, missiles, rockets, and military explosive devices moved	Public comment period closed on March 18, 2013. Comments generally supported the concept and offered

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		Rockets, and Military Explosive Devices the President Determines No Longer Warrant Control Under the United States Munitions List		from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	numerous specific suggestions currently under review.
BIS	0694-AF60	Amendment to Licensing Requirements for Exports to Canada of Shotguns, Shotgun Shells and Optical Sighting Devices under the Export Administration Regulations	Projected publication date: TBD	Benefits include reducing the administrative burdens of submitting a license application for certain exporters, who meet the prerequisite conditions, by streamlining the authorization and clearance process.	Proposed rule withdrawn from OMB review pursuant to Executive Order 12866 on 05/17/2013. See <a href="http://Reginfo.gov">Reginfo.gov</a> for more information.
BIS	0694-AF65	Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform	04/16/2013 78 FR 22660	<p>Increases in burden hours under 0694-0088 and 0694-0137 for aircraft, gas turbine engines, and related items moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.</p> <p>BIS believes defining “specially designed” in this rule will facilitate enhanced public understanding of a key term used extensively on the Commerce Control List. The term is also used in controls that apply to items transitioned from State to Commerce.</p> <p>In addition to measures to ease the transition process for items moving from State to Commerce jurisdiction, this rule, as a result of retrospective regulatory review, streamlines certain license exceptions to eliminate complex or outmoded provisions.</p>	Final rule effective on October 15, 2013.
BIS	0694-AF87	Export Administration Regulations: Control of	05/24/2013 78 FR 31431	Increases in burden hours under 0694-0088 and 0694-0137 for spacecraft systems and related items moved from State to Commerce control are	Public comment period closes on July 8, 2013.

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		Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List		expected to be more than offset by reductions in State collections for license applications and amendments (1405-0003, 1405-0023, and 1405-0092), agreements (1405-0093), and registration (1405-0002). State registration and licensing fees are not required for Commerce items. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; enhanced defense industrial base; and greater clarity with respect to jurisdiction.	
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**USPTO**

Agency /Sub-Agency	RIN/ OMB Control Number	Title of Rule	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
USPTO	RIN 0651-AC82	Reduction of Fees for Trademark Applications	Sec. 10(c) of the Leahy-Smith America Invents Act (AIA) provides a process for the USPTO to consult with its Public Advisory Committees on the advisability of reducing user fees, and then to reduce such fees if that is found to be advisable. Pursuant to these procedures, the USPTO is proposing to reduce certain Trademark filing fees in order to ease burdens on the user community and encourage more efficient electronic filing of applications. In 2012 the USPTO invited the public to submit comments regarding possible adjustment of fees. The USPTO is now preparing an NPRM setting forth proposed fee reductions and rule revisions to accomplish this.	2013	Sec. 10(c) of the AIA provides that the USPTO can consult with its Public Advisory Committees on the advisability of reducing user fees, and then so reduce them. The USPTO is following these procedures in proposing to reduce certain Trademark filing fees. As part of these efforts, the USPTO has sought input from the public on adjusting fees, and has considered many of the principles set forth in EO 13563, including public input and examining fee-setting options and how they would impact the user community.	This NPRM is being drafted now, with planned publication later in 2013, and a planned final rule sometime in 2014.
USPTO	RIN 0651-AC54	Setting and Adjusting Patent Fees	Sec. 10 of the AIA gives the USPTO authority to set or adjust all of its fees. The USPTO published an NPRM that set forth the proposed fee adjustments and underlying analysis in 2012 and sought public input on those proposals. After receiving and considering that input, the USPTO issued a final rule in January 2013 that set forth a new fee structure, which included various revisions to ease burdens and benefit the user community (including a wider scope of discounts for small entity applicants and new, greater discounts for a new class of	2013	Sec. 10 of the AIA provides that fees can be set or adjusted to recover aggregate estimated costs to the USPTO. In conducting the work to set and adjust fees under Sec. 10, the USPTO considered many of the principles set forth in EO 13563, including public input and cost/benefit analysis. As part of the rulemaking efforts that led to the new patent fee structure, the USPTO also examined different fee-setting options and considered how they would impact the user community. As part of this Sec. 10 rulemaking, the USPTO prepared cost/benefit analyses of the possible fee adjustments, and prepared a Regulatory Impact Analysis setting forth findings on these issues.	This final rule was published in January 2013, and the new fee schedule that became effective in March 2013.

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			“micro entity” applicants). This new fee structure became effective in March 2013.			
USPTO	TBD	Advanced Notice of Proposed Rulemaking (ANPRM)	<p>This ANPRM would notify the public that the USPTO is considering revising its regulations to ease burdens and realize cost savings. 37 C.F.R. 1.52 concerns specifications for paper and CD-ROM submissions to the USPTO, and has not been revised in more than a decade. 37 C.F.R. 1.121 concerns making amendments in patent applications. 37 C.F.R. 1.97 and 1.98 concern information disclosure statements.</p> <p>The ANPRM would solicit ideas from the public concerning improvements that could be made to these regulations in order to ease burdens and provide cost savings to patent applicants.</p>	2013	Cost savings and benefits cannot be quantified at this time, but many of these rules impact all applicants who file patent applications with the USPTO, and even small improvements to the regulations could result in significant cost savings and benefits given the large number of annual applications. The USPTO plans to publish the ANPRM in order to engage the public as early as possible and seek specific ideas from the user community about improvements to these regulations that would provide them cost savings and other benefits.	This ANPRM will be drafted and published in the <i>Federal Register</i> in 2013.

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**EXECUTIVE ORDER 13610**

**OCIO**

Agency/ Sub- Agency	Title	Brief Description	Hours of Paperwork/ reporting eliminated	Cost Savings/Increases	Estimated Effective Date of the Change	Who Benefits?	New Initia- tive?	Regulatory or Statutory Change Needed?
Census	2012 Survey of Business Owners	Reduce burden from survey by making better use of existing data, reduce sample size, and offer use of a shorter form.	181,700	Gov't savings: \$5M – decrease of no. of forms reviewed; and printing of addresses only on pkgs to public	10/2013	Business or other for-profit organizations.	Yes	No
NOAA	Crab Rationalization Economic Data Reports (EDRs)	New streamlined EDRs have been developed, and will be finalized through RIN 0648-BC25. The 132 respondents will save an average of 23 hours, 20 minutes each. (116 respondents, average savings of 22 hours, 40 minutes)	3087 (2628 hours saved due to program change, as 16 fewer respondents)	Businesses savings: \$6600 (\$50 per report), accountant not needed to complete EDRs (\$5800 total, since 16 few respondents)	3/1/2013 (07/17/2013)  Final Rule Published 06/17/2013 <a href="http://www.gpo.gov/fdsys/pkg/FR-2013-06-17/pdf/2013-14332.pdf">http://www.gpo.gov/fdsys/pkg/FR-2013-06-17/pdf/2013-14332.pdf</a>	Business or other for-profit/fishermen (132 will report each year (116)).	Yes	Yes
NOAA	Highly Migratory Species (HMS) Trade Biweekly Dealer Report (this was not conveyed correctly; Trade dealers were not affected. Shark, swordfish and most	Currently HMS Trade Dealers must submit biweekly summarized landings reports; once electronic reporting of the currently paper landings reports is implemented, the biweekly reports will not be needed. Currently there are 6,580 reports each taking 15 minutes to complete. (revised:	1645	Business savings: \$2961 in postage. Government savings: \$10,970 (5 minutes to key in 6580 reports, @ \$20 per hour).	3/2013	Business or other for-profit/fishermen (253 will benefit per year).	No	Yes, this change was made through RIN 0648-BA75, finalized in

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	tuna dealers were affected, but the change was from biweekly paper reports to weekly electronic reports; therefore the burden increased, and there were possible start-up costs for electronic reporting). THIS ITEM SHOULD NOT HAVE BEEN INCLUDED.							12/2012.
NOAA	Implementation of an electronic permit application in Southeast Region	The Southeast fisheries region will implement electronic permit applications.	1,500 (1,200)	Business savings: \$4050 in postage. Government savings: not yet been determined, and must be researched. (revised to: Businesses savings: \$3,000 in postage.  Government savings: not yet been determined, but the system is expected to reduce number of renewal applications returned for application deficiencies by 25%, saving time and money for both constituents and government).	6/1/2015 (3/2014)	Business or other for-profit/fishermen. Applications completed by 9000 annually – revised to approximately 6500 annually).	No	No

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NOAA	Implementation of a National Permit System (NPS) in Pacific Region	The Pacific Islands Region (PIR), Southwest Region (SWR) and High Seas Fisheries Compliance Act (HSFCA) will implement electronic permit application through NPS: 10 minutes saved per permit application, for 1,308 permits. (The SWR has implemented for 850 HMS permits, with an estimated 20% adoption of NPS submission (170) but now not estimating burden savings at this point. PIR is now estimating 15 minutes saved per permit application, for 238 permits, presuming 67% online adoption rate with 355 annual permit transactions, Including PIR HSFCA and Western and Central Pacific Fisheries Convention (WCPFC) permits. No changes to HSFCA estimates).	218 (76)	Business savings: \$589 savings in postage costs to respondents. Savings in government labor: \$8328 (1 hour labor saved per new permit application review, @ \$24 per hour) (\$535 in business savings, approximately \$3000 in government savings).	12/1/2012 (SWR has implemented, PIR expects to implement by end of 2013; no new estimated time for HSFCA)	Business or other for-profit/fishermen. (Applications completed by 1308 annually). (Applications completed by approx.. 450 fishermen, with percentage of online submission probably to increase gradually.)	No	No
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