

United States
Department of Commerce

Executive Order 13563 - Plan for
Retrospective Analysis of Existing Rules
and

Executive Order 13610 - Identifying and
Reducing Regulatory Burdens

Progress Report
Updated July 2016



Open Government

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Participation
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Department of Commerce
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EXECUTIVE ORDER 13563

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DOC	NOAA/NMFS	Final Rule to Change the Atlantic Bluefin Tuna Dealer Landings Reporting Methodology	0648-BG16	This rule announced a change in the dealer landings reporting methodology for Atlantic bluefin tuna from use of handwritten and faxed landings reports to use of an electronic reporting system via the Internet. This rule specifies the effective date for use of the online system and elimination of the fax option.	New; Completed	Final rule published in the Federal Register on June 29, 2016 (81 FR 42290)	Streamlined requirements	Public outreach efforts	The rule makes it easier for bluefin tuna dealers to report landings data by providing a less burdensome online system in lieu of using paper landings reports and fax.
DOC	NOAA/NMFS	Proposed Rule to Implement Landings Requirement	0648-BF83	This rule would implement a requirement for tender vessel operators to use the NMFS-developed applications software “tLandings” to prepare electronic landing reports. A tender vessel transports unprocessed fish received from catcher vessels to an associated processor.	New	Proposed rule expected July 2016	No	Public comment	This action will improve timeliness and reliability of landing reports for catcher vessels delivering to tender vessels for use in catch accounting and inseason management.

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DOC	NOAA/NMFS	Final Rule to Implement the International Trade Data System	0648-AX63	The National Marine Fisheries Service (NMFS) published a proposed rule on December 29, 2015, to integrate electronic information collection within the government-wide International Trade Data System (ITDS). Electronic filing will be required in the new Automated Commercial Environment (ACE) system, including partner government agency message sets (including NMFS') and the application of PGA business rules in entry processing.	New	Proposed rule published in the Federal Register on December 29, 2015 (80 FR 81251); Final rule expected July 2016	Streamlined requirements	Public comment	Electronic collection of seafood trade data through a single portal will result in an overall reduction of the public reporting burden and the agency's data collection costs, will improve the timeliness and accuracy of admissibility decisions, and increase the effectiveness of applicable trade restrictive measures. When overall total new burdens for the three requirements proposed under this rule (IFTP, data set submission, and admissibility document(s) submission) are compared to current burdens, the new burdens are estimated to result in an overall net burden decrease of 4,225 hours and \$63,650.

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DOC	NOAA/NMFS	Proposed Rule to Implement an Electronic Monitoring Regulatory Amendment to Pacific Coast Groundfish Fishery Management Plan	0648-BF52	This rule would create an option for Pacific whiting and groundfish fixed gear vessels to use electronic video monitoring as an alternative to human observers to meet requirements for 100% observer coverage in the catch share program.	New	Proposed rule expected August 2016	Regulatory flexibilities	Public comment	Vessels participating in the catch share program are required to carry an observer on all trips to ensure total accountability for at-sea discards. For some vessels, electronic monitoring may have lower costs than observers and a reduced logistical burden. By allowing vessels the option to use electronic monitoring to meet monitoring requirements, this action is intended to increase operational flexibility and reduce monitoring costs for the Pacific whiting fleet.

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DOC	NOAA/NMFS	Final Rule to Implement Electronic Fish (E-fish) Tickets and Modify Joint Registration and the Own/Hold Control Limit for West Coast Sablefish Fishery	0648-BE42	NOAA Fisheries is issuing a final rule to implement Electronic Fish Tickets (e-fish tickets) for all West Coast sablefish landings (i.e., Tier/primary, daily trip limit, and open access fisheries), modify the own/hold control limit.	New	Proposed rule published in the Federal Register on June 1, 2016 (81 FR 34947); Final rule expected August 2016	Streamlined requirements	Public comment	This rule allows for electronic reporting and allows for joint registration of trawl and fixed gear on sablefish endorsed vessels.
DOC	NOAA/NMFS	Final Rule to Adjust Exempted Fishing Permit Requirements for Placement of Archival Tags	0648-BF10	This rule proposes revisions to the requirement that people implanting tags in Atlantic highly migratory species obtain written authorization.	New	Proposed rule published in the Federal Register on April 14, 2016 (81 FR 22044); Final rule expected September 2016	Regulatory flexibilities	Public comment	The rule considers options that would make the permitting process for tagging simpler and more efficient. This rule would modify the regulations so that researchers would no longer need to obtain written authorization from NMFS before implanting or affixing archival tags. Thus, this proposed rule would reduce any

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									time and delay costs to researchers because they would not need to apply for a permit to place tags on Atlantic HMS. This rule would relieve approximately 14 research entities from the need to apply for a permit to place archival tags on Atlantic HMS. Additionally, fishermen would be relieved of the obligation to file a landings report with NMFS if they caught and retained an HMS with an externally affixed archival tag and thus would have less regulatory obligation and delay in bringing the fish to market.
DOC	NOAA/NMFS	Purse Seine Fishing Restrictions during Closure Periods in Western and Central Pacific	0648-BF23	This rule removed a prohibition on U.S. purse seine vessels from conducting fueling operations on the high seas and in the U.S. exclusive economic zone in the area of application of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and	Completed	Interim final rule published in the Federal Register on August 25, 2015 (80 FR 51478)	Streamlined requirements	Public comment, analyses	Allowing fueling operations to occur in the affected area while it is closed to all other fishing activities gives affected purse seine fishing businesses an alternative to having to refuel at port or in the waters of foreign

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		Fisheries for Highly Migratory Species		Central Pacific Ocean during fishery closures triggered by reaching an annual limit on fishing effort. The action was taken to mitigate the adverse economic impacts of the fishery closures while continuing to contribute to their underlying objectives pursuant to the Convention, which are to conserve tropical tuna stocks.					nations. In many cases, this is expected to relieve fishing businesses of costs associated with lost fishing time while transiting, higher fuel prices, and in some cases, port-associated costs. The cost savings are expected to be in the tens of thousands of dollars per fueling event. The total cost savings will depend on the length of the fishery closure each year, if any.
DOC	NOAA/NMFS	Proposed Rule: Fishing Restrictions for the Area of Overlap Between the Convention Areas of the Inter-American Tropical Tuna Commission	0648-BF38	This action revises the management regime for the area of overlapping jurisdiction between the Inter-American Tropical Tuna Commission and the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean such that the management measures of the Inter-American Tropical Tuna Commission would no longer apply in the area of overlapping jurisdiction, with the exception of regulations governing the Inter-American Tropical Tuna	Completed	Proposed rule published in the Federal Register on December 28, 2015 (80 FR 80741); Final rule published in the Federal Register on	Streamlined requirements	Public comments	In some instances this regulation would reduce costs, e.g. complying with one as opposed to two fishing closure requirements. In other instances, this regulation removes duplicative regulations, which may reduce the burden of time required to read, interpret, and ensure compliance with otherwise duplicative regulations. Similarly, this sort of time savings



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		and the Western and Central Pacific Fisheries Commission		Commission Regional Vessel Register. This action is expected to reduce the economic and regulatory burden on U.S. vessel owners and operators as well as reduce the administrative burden of ensuring compliance with both sets of regulations.		April 26, 2016 (81 FR 24501)			would likely apply to agency officials and thus, may generate additional opportunities to serve public interests.
DOC	NOAA/NMFS	Proposed Rule: Vessel Requirements to Obtain an International Maritime Organization Number per Resolution Adopted by the Inter-American Tropical Tuna Commission in 2014	0648-BE99	While the action does require U.S. vessel owners or operators to obtain an International Maritime Organization number, NMFS found ways to rely upon external data sources (IHS Maritime, and U.S. Coast Guard documentation records) to gather the International Maritime Organization numbers and decided not to require vessel owners to supply it on a permit application or other documents to eliminate the need to for additional reporting burdens to comply with IATTC Resolution C-14-01.	Completed	Proposed rule published in the Federal Register on October 27, 2015 (80 FR 65683); Final rule published in the Federal Register on January 14, 2016 (81 FR 1878)	Streamlined requirements	Public comment	The IMO number is issued by the private third-party, IHS Maritime. IHS Maritime has established a free, online request registration system to simplify the process of obtaining an International Maritime Organization number by vessel owners. The proposed action includes appeal and exception provisions in the event that a vessel is unable to obtain an International Maritime Organization number from IHS Maritime. NMFS found other ways to obtain the information it needs related to the Inter-

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									American Tropical Tuna Commission Resolution, and was able to avoid any additional regulatory burden to vessel owners and operators.
DOC	NOAA/NMFS	Final Rule to Implement Changes to the Regulations for Designating Critical Habitat under the Endangered Species Act	0648-BB79	This 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.	Ongoing	Proposed rule published in the Federal Register on May 12, 2014 (79 FR 27066); Final rule published in the Federal Register on February 11, 2016 (81 FR 7414)	No	Public comment	These proposed amendments are based on the review of the regulations by DOI's Fish and Wildlife Service and NMFS 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.

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DOC	NOAA/NMFS	Final Rule to Amend the Definition of Destruction or Adverse Modification of Critical Habitat under the Endangered Species Act	0648-BB80	This 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.	Ongoing	Proposed rule published in the Federal Register on May 12, 2014 (79 FR 27066); Final rule published in the Federal Register on February 11, 2016 (81 FR 7214)	No	Public comment	The 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.
DOC	NOAA/NMFS	Final Policy on Exclusions from Critical Habitat under the Endangered Species Act	0648-BB82	This draft policy explains how NOAA Fisheries considers partnerships and conservation plans, habitat conservation plans, tribal lands, military lands, and Federal lands in the process of determining whether to exclude lands from a critical habitat designation where the benefits of exclusion outweigh the benefits of designating the area as critical habitat.	Ongoing	Proposed policy published in the Federal Register on May 12, 2014 (79 FR 27052); Final policy published in the Federal Register on February 11,	No	Public comment	This policy will clarify how the USFWS and NMFS exclude lands from critical habitat designations to speed up the review and decision-making process for these agencies. It will also provide greater clarity and predictability to other federal agencies and tribal partners about how their lands

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						2016 (81 FR 7226)			may be designated as critical habitat.
DOC	NOAA/NMFS	Crab Rationalization Program Review	N/A	The Bering Sea and Aleutian Islands (BSAI) Crab Rationalization Program was designed to improve resource conservation, operating efficiency, and fishermen’s safety while maintaining participation by remote communities. These lucrative fisheries were subject to overcapitalization and intense effort during the 1990s. Dangerous weather conditions combined with the rush to fish during open seasons to create critical problems with safety at sea and product supply and processing. In order to address these problems, to account for the diverse nature of stakeholders involved, and to maintain the	Ongoing	Work Plan produced February 2015; Council input incorporated and revised Plan released April 2015; staff working group program review ongoing	No	Public outreach efforts, multiple opportunities for review and input, coordinated Fishery Management Council process, public comment	While the review is still in the design process, we plan to look broadly at the many elements of the program and execute the review with an extensive public engagement process. In February, our work plan was provided to the public for an opportunity for review and comment, and after considering that comment we will begin analyzing the program and searching for any necessary improvements.

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				fishery's historic economic importance to many remote fishing and processing communities, in 2005 NOAA implemented the Crab Rationalization Program. We are now reviewing this program for possible improvements.					
DOC	NOAA/NMFS	Revised and Updated National Environmental Policy Act (NEPA) procedures for Magnuson-Stevens Act fishery management actions; request for comments	0648-XD124	On February 19, 2013, NMFS issued an internal policy pertaining to complying with NEPA in the context of Magnuson-Stevens Act (MSA) fishery management actions that clarifies roles and responsibilities of NMFS and the Regional Fishery Management Councils (FMCs), explains timing and procedural linkages, provides guidance on documentation needs, and fosters partnerships and cooperation between NMFS and FMCs on NEPA compliance. NMFS consulted with the Councils and with the Council on Environmental Quality (CEQ) on proposed revisions to the 2013 NMFS NEPA policy	Completed	Notice of Availability of draft policy published in the Federal Register on June 30, 2014 (79 FR 36726); Notice of Availability of final policy published in the Federal Register on February 23,	Streamlined requirements.	Public comment, Fishery Management Council input	The draft NEPA procedures make several improvements in the NEPA process for FMC initiated fishery management actions that will streamline the NEPA process. The procedures (1) clarify NEPA roles and responsibilities while encouraging collaboration and early integration of processes; (2) encourage completion of as much of the NEPA process at the Council level and establish a procedural nexus linking NEPA's requirements with MSA's; (3)

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				directive, and based on those consultations NMFS now proposes to use this policy as a basis for issuing revised and updated NEPA procedures for MSA actions in the form of a line-office supplement to NOAA Administrative Order 216-6.		2016 (81 FR 8920)			better integrate MSA and NEPA required documentation; and (4) provide instructions in using NEPA tools to gain greater efficiencies in the process.
DOC	NOAA/NMFS	Final Rule for Revisions to the Guidelines for National Standards 1, 3, and 7	0648-BB92	Since the last Magnuson-Stevens Act reauthorization, U.S. fisheries management has experienced many changes, in particular the implementation of annual catch limits and accountability measures to end and prevent overfishing. Based on this experience and discussions held during major public engagement processes like Managing Our Nations Fisheries III, the National Recreational Fishing Summit, and many other forums such as Council and MAFAC meetings, NOAA Fisheries believes the National Standard guidelines can be improved to enhance the utility of the guidelines for managers and the	Ongoing	Proposed rule published in the Federal Register on January 20, 2015 (80 FR 2786); Final rule expected in July 2016	Streamlined provisions	Public comment, multiple public meetings including major national stakeholder gathering	The rule will improve and streamline the National Standard guidelines, address concerns raised during the implementation of annual catch limits and accountability measures, and provide flexibility within current statutory limits to address fishery management issues.

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				public. The objective of these proposed revisions is to improve and streamline the National Standard guidelines, address concerns raised during the implementation of annual catch limits and accountability measures, and provide flexibility within current statutory limits to address fishery management issues.					
DOC	NOAA/NMFS	Final Regulations for the Designation of Experimental Populations under Section 10(j) of the Endangered Species Act	0648-BE43	NOAA Fisheries will finalize regulations to implement section 10(j) of the Endangered Species Act dealing with experimental populations. NOAA Fisheries had previously utilized the provisions of Section 10(j) to designate experimental populations of west coast salmonids (three populations were designated in 2013 and 2014 when there were no existing 10(j) regulations). Now that we have gained some experience in the use of section 10(j) we are finalizing our own implementing regulations for section 10(j) that will help provide clarity and reduce uncertainty for the public about our practices. We are	Completed	Proposed rule published in the Federal Register on August 3, 2015 (80 FR 45924); Final rule published in the Federal Register on May 26, 2016 (81 FR 33416)	No	Public comment	This rule will clarify process and provide certainty for the public and the agency regarding the establishment of experimental populations of listed species. Experimental populations are a flexible regulatory mechanism provided for in the ESA that may contribute to recovery goals.

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				finalizing these regulations as proposed with no changes.					
DOC	NOAA/NMFS	Amendment 110 to the Fishery Management Plan for Groundfish of the Bering Sea/Aleutian Islands Management Area	0648-BF25	Regulatory Amendment 110 would make substantive improvements to the management of salmon bycatch in the Bering Sea pollock fishery to minimize salmon bycatch in the pollock fishery to the extent practicable. Currently, Chinook and chum salmon bycatch are managed under two different programs, which has led to inefficiencies and does not allow the pollock fishery the flexibility to modify their harvest patterns and practices to effectively minimize both Chinook and chum salmon bycatch. This regulation would make salmon bycatch management more effective, comprehensive, and efficient by increasing flexibility to respond to changing conditions	Completed	Notice of Availability of draft policy published in the Federal Register on January 8, 2016 (81 FR 897); Final rule published in the Federal Register on June 10, 2016 (81 FR 37534)	Streamlined provisions, combination of two regulatory structures into one comprehensive structure	Public Comment	This regulation would provide the flexibility to harvest pollock in times and places that best achieve salmon avoidance and to adapt to changing conditions quickly.

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				and providing greater incentives to reduce bycatch of both salmon species.					
DOC	NOAA/ONMS	Amendments to National Marine Sanctuary Regulations	0648-AV85	NOAA’s Office of National Marine Sanctuaries is preparing a regulatory review and update of the program regulations of the national marine sanctuaries, to remove inconsistencies and redundancies and eliminate outmoded regulations. ONMS has periodically performed reviews of the regulations; however this review is more comprehensive and would not only make technical revisions, but would also reorganize large sections of the regulations to streamline them into a more coherent form and make them internally consistent.	Ongoing	Expected completion Q4 2016	Streamline requirements	Public comments	This rulemaking is currently anticipated to have the following seven benefits: • Consolidate regulations applicable to all sanctuaries into appropriate subparts. • Eliminate general requirements that are either outmoded or merely duplicative of existing statutory requirements. • Amend procedures for identifying and evaluating marine sites for possible national marine sanctuaries designation. • Adopt standard boundary descriptions. • Harmonize and consolidate

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									definitions that are common to all sanctuaries. • Reorganize, update, and consolidate the permitting regulations into a single subpart. • Make other conforming and administrative changes.
DOC	NOAA/ONMS	Conducting Consultations Pursuant to Section 304(d) of the National Marine Sanctuaries Act	0648-AV89	NOAA is developing proposed regulations to implement certain aspects of the consultation provisions of section 304(d) of the National Marine Sanctuaries Ac. NOAA previously issued an Advanced Notice of Proposed Rulemaking requesting comments on whether the development of regulations for the 304(d) provisions was warranted and, if so, what such regulations should contain to ensure the efficient application and implementation of, and compliance with, this statutory requirement.	Ongoing	Expected completion Q4 2016	Trigger provisions	Public comments	Not yet available

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DOC	NOAA/NESDIS	Licensing of Private Remote Sensing Space Systems	648-AT00	NESDIS is conducting a periodic review and update of regulations at 15 CFR Part 960 governing the licensing and compliance of private remote-sensing space systems.	Ongoing	Review process ongoing; expected completion 4Q 2017	No	Advisory Committee on Commercial Remote Sensing review, public comment, stakeholder meetings	Any proposed updates to the regulations would be intended to improve the growth and international competitiveness of U.S.-based private remote-sensing space systems, while preserving U.S. national security and international obligations.
DOC	BIS	Revisions to the Export Administration Regulations: Export Control Classification Number 0Y521 Series, Items Not Elsewhere Listed on the Commerce Control List (CCL)	0694-AF17	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control. Creation of a temporary classification was part of this initiative.	Completed	4/13/12 77 FR 22191	Increased regulatory flexibility	Public comment	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

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									determines that the item does not warrant control on the CCL.
DOC	BIS	Revisions to the Export Administration Regulations: Control of Energetic Materials and Related Articles the President Determines No Longer Warrant Control Under the United	0694-AF53	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	5/2/12 77 FR 25932	Increased regulatory flexibility	Public comment	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

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		States Munitions List							exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.
DOC	BIS	Revisions to the Export Administration Regulations: Control of Gas Turbine Engines and Related Items the President Determines No Longer Warrant Control Under the United	0694-AF41	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	12/6/2011 76 FR 76072	Increased regulatory flexibility	Public comment	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

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		States Munitions List							Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.
DOC	BIS	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	0694-AF51	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	5/18/12 77 FR 29564	Increased regulatory flexibility	Public comment	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

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		Arrangement Munitions List							Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction
DOC	BIS	Revisions to the Export Administration Regulations: Control of Personal Protective Equipment, Shelters, and Related Items the President Determines No Longer Warrant Control Under	0694-AF58	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	6/7/12 77 FR 33688	Increased regulatory flexibility	Public comment	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

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		the United States 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.
DOC	BIS	Revisions to the Export Administration Regulations: Control of Military Training Equipment and Related Articles the President Determines No Longer Warrant Control Under	0694-AF54	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	6/13/12 77 FR 35310	Increased regulatory flexibility	Public comment	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

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		the United States Munitions List							exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.
DOC	BIS	"Specially Designed" Definition	0694-AF66	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control. Creation of a "specially designed" definition was part of this initiative.	Completed	6/19/12 77 FR 36409	Increased regulatory flexibility	Public comment	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.

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DOC	BIS	Feasibility of Enumerating "Specially Designed" Components	0694-AF68	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control. Creation of a "specially designed" definition was part of this initiative.	Completed	6/19/12 77 FR 36419	Increased regulatory flexibility	Public comment	This advance notice of proposed rulemaking solicited public comments with the intention of making the Commerce Control List more objective, which would aid compliance.
DOC	BIS	Proposed Revisions to the Export Administration Regulations: Implementation of Export Control Reform; Revisions to License Exceptions After Retrospective	0694-AF65	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	6/21/12 77 FR 37524	Increased regulatory flexibility	Public comment	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.

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		Regulatory Review							
DOC	BIS	Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant Control Under the United	0694-AF64	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	11/28/12 77 FR 70945	Increased regulatory flexibility	Public comment	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

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		States Munitions List							exporters due to more flexible Commerce licensing regime; eased interoperability with close allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.
DOC	BIS	Revisions to the Export Administration Regulations (EAR) to Make the Commerce Control List (CCL) Clearer	0694-AF37	Revising the Commerce Control List to make it clearer and aid compliance.	Completed	11/29/12 77 FR 71214	Streamlined requirements	Public comment	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.

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DOC	BIS	Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform	0694-AF65	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	4/16/13 78 FR 22660	Increased regulatory flexibility	Public comment	Increases in burden hours are expected to be more than offset by reductions in State collections. 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. Defining “specially designed” in this rule facilitates enhanced public understanding of a key term. 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, streamlined certain license

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									exceptions to eliminate complex or outmoded provisions.
DOC	BIS	Export Administration Regulations: Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United	0694-AF87	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	5/24/13 78 FR 31431	Increased regulatory flexibility	Public comment	Increases in burden hours under 0694-0088 and 0694-0137 for spacecraft systems 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

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		States Munitions List							exporters due to more flexible Commerce licensing regime; enhanced defense industrial base; and greater clarity with respect to jurisdiction.
DOC	BIS	Revisions to the Export Administration Regulations: Military Vehicles; Vessels of War; Submersible Vessels, Oceanographic Equipment; Related Items; and Auxiliary and	0694-AF39	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	7/8/13 78 FR 40892	Increased regulatory flexibility	Public comment	Increases in burden hours are expected to be more than offset by reductions in State collections. State registration and licensing fees are not required for Commerce items. Due to limited export and reexport trade in submersible vessels, oceanographic equipment, and related items, little to no effect on burden should occur. Benefits include reduced burden on exporters due to more flexible Commerce licensing regime; eased interoperability with close

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		Miscellaneous Items that the President Determines No Longer Warrant Control under the United States Munitions List							allies; enhanced defense industrial base; and greater clarity with respect to jurisdiction.
DOC	BIS	Revisions to the Export Administration Regulations: Control of Military Electronic Equipment and Related Items the President Determines No Longer Warrant	0694-AF64	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	7/25/13 78 FR 45026	Increased regulatory flexibility	Public comment	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

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		Control Under the United States Munitions List							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.
DOC	BIS	Revisions to the Export Administration Regulations (EAR) To Make the Commerce Control List (CCL) Clearer	0694-AF37	Revising the Commerce Control List to make it clearer and aid compliance.	Completed	10/4/13 78 FR 61874	Streamlined requirements	Public comment	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.

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DOC	BIS	Control of Military Training Equipment, Energetic Materials, Personal Protective Equipment, Shelters, Articles Related to Launch Vehicles, Missiles, Rockets, Military Explosives, and Related Items	0694-AF58	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	1/2/14 79 FR 264	Increased regulatory flexibility	Public comment	Increases in burden hours are expected to be more than offset by reductions in State collections. 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.

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DOC	BIS	Proposed Revisions to the Support Document Requirements of the Export Administration Regulations in Response to Executive Order 13563 Retrospective Regulatory Review	0694-AG00	This rule would streamline support documentation requirements (Retrospective Regulatory Review).	Completed	4/9/14 79 FR 19552	Streamlined requirements	Public comment	This proposed rule would affect four collection numbers: Approval of Triangular Transactions Involving Commodities Covered by a U.S. Import Certificate (collection number 0694-0009), Delivery Verification Certificate (0694-0016), International Import Certificate (0694-0017), Statement by Ultimate Consignee and Purchaser (0694-0021), and Import Certificates And End-User Certificates (0694-0093). Proposed revisions would yield an estimated net decrease in burden hours of more than 800 hours across these collections. Clarifying the requirements for support documentation will aid compliance and enforcement.

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DOC	BIS	Revisions to the Export Administration Regulations: Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)	0694-AF87	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	5/13/14 79 FR 27417	Increased regulatory flexibility	Public comment	Increases in burden hours under 0694-0088 and 0694-0137 for spacecraft systems 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; enhanced defense industrial base; and greater clarity with respect to jurisdiction.

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DOC	BIS	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 (USML)	0694-AF64	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	7/1/14 79 FR 37551	Increased regulatory flexibility	Public comment	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.

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DOC	BIS	Civil Uses of Certain Microwave Monolithic Integrated Circuit (MMIC) Power Amplifiers, Discrete Microwave Transistors and Bi-Static and Multi-Static Radar	n/a	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control. Notice solicited information on civil end uses of items proposed to be controlled as military items.	Completed	7/1/14 79 FR 37548	Increased regulatory flexibility	Public comment	This notice of inquiry solicits public comments on specific examples of civil uses of certain items subject to control as military electronics. Public comments received in response to the proposed military electronics rules asserted such civil end uses but did not provide specific examples.
DOC	BIS	EAR Revision: Items Related to Launch Vehicles, Missiles, Rockets, and Military Explosive Devices the	0694-AF56	The Export Control Reform initiative moves less militarily significant items from State to more flexible Commerce control.	Completed	1/31/13 78 FR 6750	Increased regulatory flexibility	Public comment	Increases in burden hours under 0694-0088 and 0694-0137 for items related to launch vehicles, missiles, rockets, and military explosive devices moved from State to Commerce control are expected to be more than offset by reductions in State collections for license applications and



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		President Determines No Longer Warrant Control Under the United States Munitions List							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.

Department of Commerce
Executive Order 13563 - Plan for Retrospective Analysis of Existing Rules and
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DOC	USPTO	Trademark Fee Adjustment	RIN 0651-AD08	As described above, USPTO conducted an internal biennial fee review considering ways that the USPTO fee structure might be improved, including a rulemaking pursuant to the USPTO’s fee setting authority under Section 10 of the America Invents Act. In November 2015, USPTO's Trademark Public Advisory Committee (TPAC) held a public hearing to discuss USPTO current TM fee proposals, as required by the America Invents Act. TPAC issued a report, which USPTO reviewed, and based on that review and public comments received at the hearing, USPTO developed a Notice of Proposed Rulemaking proposing certain TM fee changes. That NPRM was published on May 27, 2016 (81 FR 33619). The comment period for the NPRM closes on July 11, 2016. USPTO will review the public comments received and anticipates issuing a final rule based on this review, implementing certain adjustments to the TM fee schedule, later in 2016.	Ongoing	NPRM published May 27, 2016 (81 FR 33619) – Final Rule anticipated to publish in 2016	No	Public Advisory Committee public hearings, Public Comment, public roundtables/outreach	

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DOC	USPTO	Miscellaneous Changes to Trademark Trial and Appeal Board Rules of Practice	RIN 0651-AC35	In April 2016, TTAB issued an NPRM proposing to amend the regulations governing the rules of practice before the Trademark Trial and Appeal Board (“Board”) to provide for more efficiency and clarity in inter partes and ex parte proceedings (April 4, 2016 -- 81 FR 19296). Amendments are being proposed to reduce the burden on the parties, conform the rules to current practice, update references that have changed, reflect technologic changes, and ensure the usage of standard, current terminology. The proposed rules would also further strategic objectives of the Office to increase the end-to-end electronic processing by requiring parties to submit all filings using the Board's electronic filing system. The comment period on the rule closed on June 3, 2016, and TTAB is now reviewing the public comments received and preparing a final rule in light of the feedback received from the public.	Ongoing	NPRM published April 4, 2016 (81 FR 19296) – Final Rule anticipated to publish in 2016	No	Public Comment, public roundtables/outreach	

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DOC	BEA	Streamlining Annual and Benchmark Surveys of Direct Investment	0608-0049, 0053, 0042, 0034	This initiative will reduce respondent burden by streamlining BEA’s annual and benchmark surveys of direct investment. Data items will be individually evaluated in terms of data quality and usefulness for each survey to determine whether the data item should be retained. Exemption levels for surveys and for “long” and “short” forms will be reviewed and raised to a level that balances data quality and burden.	New to this update	Jan-16	No	Survey staff will perform outreach to respondents to determine what items on multinational operations are readily available in internal systems that might be easier for respondents to access and report than what is currently collected.	Eliminate 56,200 total burden hours/\$2.2 million total cost burden
DOC	BEA	Expanding Use of eFile on BEA’s Surveys	0608-0049, 0053, 0042, 0034, 0009, 0066, 0067, 0065	This initiative will reduce respondent burden by encouraging the use of eFile, BEA’s electronic survey filing system. Several different approaches will be used depending on the survey, including: 1) require respondents to contact BEA if they wish to receive paper forms (otherwise they just receive notification letters with information on accessing eFile), 2) extend the survey filing deadline by one month	Completed	Jan-15	No	Public Comment	Eliminated 11,800 total burden hours/\$472,000 total cost burden

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				for respondents that choose to use eFile, 3) contact respondents that file on paper by phone to invite them to use eFile, and 4) gather requirements and input from survey respondents to upgrade the eFile system to better meet the needs of respondents.					