

## V. Classification

### A. National Environmental Policy Act

NOAA has prepared an environmental assessment to evaluate the impacts of the rulemaking. Copies are available at the address and Web site listed in the **ADDRESSES** section of this final rule.

### B. Executive Order 12866: Regulatory Impact

This final rule has been determined to be not significant as that term is defined in Executive Order 12866.

### C. Executive Order 13132: Federalism Assessment

NOAA has concluded this regulatory action does not have federalism implications sufficient to warrant preparation of a federalism assessment under Executive Order 13132.

### D. Regulatory Flexibility Act

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) at the proposed rule stage that this final rule would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published with the proposed rule. No comments were received regarding this certification. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

### E. Paperwork Reduction Act

This proposed rule would not require any additional collection of information, and therefore no paperwork reduction act action is required. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

## VI. References

A complete list of all references cited herein is available upon request (see **ADDRESSES** section).

### List of Subjects in 15 CFR Part 922

Administrative practice and procedure, Coastal zone, Fishing gear, Marine resources, Natural resources, Penalties, Recreation and recreation areas, Wildlife.

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: July 9, 2014.

**Christopher Cartwright,**

Chief Financial Officer, National Ocean Service, National Oceanic and Atmospheric Administration.

Accordingly, for the reasons set forth above, NOAA is amending part 922, title 15 of the Code of Federal Regulations as follows:

### PART 922—NATIONAL MARINE SANCTUARY PROGRAM REGULATIONS

■ 1. The authority citation for part 922 continues to read as follows:

**Authority:** 16 U.S.C. 1431 et seq.

■ 2. In § 922.92, revise paragraphs (a)(2) and (10) to read as follows:

#### § 922.92 Prohibited or otherwise regulated activities—Sanctuary-wide.

(a) \* \* \*

(2) Constructing any structure other than a navigation aid, or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands of the Sanctuary except weighted marker buoys that are continuously tended and used during otherwise lawful fishing or diving activities and that are not attached to a vessel and not capable of holding a boat at anchor. Weights used with a marker buoy shall not have a combined weight of more than 10 pounds, shall be attached with not greater than one-fourth inch (1/4") line and shall be removed from the Sanctuary within twelve (12) hours of deployment. Any weighted marker buoy that is not continuously tended may be removed by the Assistant Administrator or designee or an authorized officer, without notice.

\* \* \* \* \*

(10) Anchoring, or attempting to anchor, any vessel in the Sanctuary, except as provided in paragraph (d) of this section when responding to an emergency threatening life, property, or the environment.

\* \* \* \* \*

[FR Doc. 2014–16632 Filed 7–17–14; 8:45 am]

**BILLING CODE 3510–NK–P**

## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 404 and 416

[Docket No. SSA–2014–0034]

**RIN 0960–AH67**

### Extension of Expiration Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge

**AGENCY:** Social Security Administration.

**ACTION:** Final rule.

**SUMMARY:** We are extending for one year our pilot program that authorizes the agency to set the time and place for a hearing before an administrative law judge (ALJ). Extending the pilot program continues our commitment to improve the efficiency of our hearing process and provide accurate, high-quality decisions for claimants. The current pilot program will expire on August 9, 2014. In this final rule, we are extending the expiration date to August 10, 2015. We are making no other substantive changes.

**DATES:** This final rule is effective July 18, 2014.

#### FOR FURTHER INFORMATION CONTACT:

Rainbow Forbes, Social Security Administration, 5107 Leesburg Pike, Falls Church, VA 22041–3260, 703–605–8100 for information about this final rule. For information on eligibility for filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

#### SUPPLEMENTARY INFORMATION:

##### Background

Over the past several years, one of our highest priorities has been to improve the efficiency of our hearing process for the Old Age, Survivors, and Disability Insurance (OASDI) programs under title II of the Social Security Act (Act) and the Supplemental Security Income (SSI) program under title XVI of the Act. Toward that end, we began a pilot program in July 2010 (75 FR 39154), under which the agency, rather than the ALJ, may set the time and place of the hearing under certain circumstances. Because we expect to continue to face significant challenges in dealing with the historically large number of hearing requests, we must maintain programs and policies that can provide us with the flexibility we need to improve the efficiency of our hearing process.

On November 10, 2008, we published a notice of proposed rulemaking to amend our rules to allow the agency to set the time and place for a hearing before an ALJ. (73 FR 66564). Following receipt of public comments, we issued a final rule on July 8, 2010. (75 FR 39154). Under the rule, the agency acquired the authority to set the time and place for a hearing before an ALJ. In the rule, we explained that we would implement our authority to set the time and place for a hearing before an ALJ as a temporary pilot program. Therefore, we included in sections 404.936(h) and 416.1436(h) of the final rule a provision

that the pilot program would end on August 9, 2013, unless we decided to either terminate the program earlier, or extend it beyond that date by publication of a final rule in the **Federal Register**. On July 29, 2013, we extended the sunset date of the program until August 9, 2014.<sup>1</sup> (78 FR 45451).

### Explanation of Extension

During the pilot program, we track ALJ productivity closely. We work with our ALJs to address any concerns about our hearing process. In situations where hearings were not being promptly scheduled, we worked with ALJs to correct these situations, and we continue to work with some ALJs on scheduling hearings with the expectation of using all authorities available. To date, our efforts to correct situations have been largely successful. We are retaining this authority in order to provide us with the flexibility we need to manage the hearing process appropriately. We consider the pilot program an important tool to better manage the number of hearings held and keep our hearing process as efficient as possible in our overall effort to reduce hearing backlogs.

During this extension of the pilot program, we will continue to monitor the productivity of ALJs, and we will continue to work with our ALJs to address any concerns regarding our hearing process. Accordingly, we are extending our authority to set the time and place for a hearing before an ALJ for another year, until August 10, 2015. As before, we are reserving the authority to end the program earlier, or to extend it by publishing a final rule in the **Federal Register**.

### Part 405

We are making one change to Part 405 for consistency with this final rule.

### Regulatory Procedures

#### *Justification for Issuing Final Rule Without Notice and Comment*

We follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 when developing regulations. Section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5). Generally, the APA requires that an agency provide prior notice and opportunity for public comment before issuing a final rule. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures because they are impracticable,

unnecessary, or contrary to the public interest. We have determined that good cause exists for dispensing with the notice and public comment procedures for this rule. 5 U.S.C. 553(b)(B). This final rule only extends the date on which the pilot program will no longer be effective. It makes no substantive changes to our rules. Our current regulations expressly provide that we may extend the expiration date of the pilot program by notice of a final rule in the **Federal Register**. Therefore, we have determined that opportunity for prior comment is unnecessary, and we are issuing this rule as a final rule.

In addition, for the reasons cited above, we find good cause for dispensing with the 30-day delay in the effective date of this final rule. 5 U.S.C. 553(d)(3). We are not making any substantive changes in our rules. Without an extension of the expiration date for the pilot program, we will not have the flexibility we need to ensure the efficiency of our hearing process. Therefore, we find it is in the public interest to make this final rule effective on the publication date.

#### *Executive Order 12866 as Supplemented by Executive Order 13563*

We consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the criteria for a significant regulatory action under Executive Order 12866 as supplemented by Executive Order 13563. Thus, OMB did not review the final rule.

#### *Regulatory Flexibility Act*

We certify that this final rule will not have a significant economic impact on a substantial number of small entities because it affects individuals only. Therefore, the Regulatory Flexibility Act, as amended, does not require us to prepare a regulatory flexibility analysis.

#### *Paperwork Reduction Act*

These rules do not create any new or affect any existing collections and, therefore, do not require Office of Management and Budget approval under the Paperwork Reduction Act.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income.)

### List of Subjects

#### *20 CFR Part 404*

Administrative practice and procedure; Blind; Disability benefits; Old-age, Survivors, and Disability

Insurance; Reporting and recordkeeping requirements; Social Security.

#### *20 CFR Part 405*

Administrative practice and procedure, Blind, Disability benefits, Old-Age, Survivors, and Disability Insurance, Public assistance programs, Reporting and recordkeeping requirements, Social Security, Supplemental Security Income (SSI).

#### *20 CFR Part 416*

Administrative practice and procedure; Aged; Blind; Disability benefits; Public assistance programs; Reporting and recordkeeping requirements; Supplemental Security Income (SSI).

**Carolyn W. Colvin,**

*Acting Commissioner of Social Security.*

For the reasons set out in the preamble, we are amending 20 CFR chapter III, parts 404, 405, and 416, as set forth below:

## **PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950— )**

### **Subpart J—[Amended].**

■ 1. The authority citation for subpart J of part 404 continues to read as follows:

**Authority:** Secs. 201(j), 204(f), 205(a)–(b), (d)–(h), and (j), 221, 223(i), 225, and 702(a)(5) of the Social Security Act (42 U.S.C. 401(j), 404(f), 405(a)–(b), (d)–(h), and (j), 421, 423(i), 425, and 902(a)(5)); sec. 5, Pub. L. 97–455, 96 Stat. 2500 (42 U.S.C. 405 note); secs. 5, 6(c)–(e), and 15, Pub. L. 98–460, 98 Stat. 1802 (42 U.S.C. 421 note); sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. In § 404.936, revise the second sentence in paragraph (h) to read as follows:

#### **§ 404.936 Time and place for a hearing before an administrative law judge.**

\* \* \* \* \*

(h) *Pilot program.* \* \* \* These provisions will no longer be effective on August 10, 2015, unless we terminate them earlier or extend them beyond that date by notice of a final rule in the **Federal Register**.

## **PART 405—ADMINISTRATIVE REVIEW PROCESS FOR ADJUDICATING INITIAL DISABILITY CLAIMS**

### **Subpart D—[Amended]**

■ 3. The authority citation for part 405 continues to read as follows:

**Authority:** Secs. 201(j), 205(a)–(b), (d)–(h), and (s), 221, 223(a)–(b), 702(a)(5), 1601, 1602, 1631, and 1633 of the Social Security Act (42 U.S.C. 401(j), 405(a)–(b), (d)–(h), and (s), 421,

<sup>1</sup> <http://www.gpo.gov/fdsys/pkg/FR-2013-07-29/pdf/2013-18143.pdf>.

423(a)–(b), 902(a)(5), 1381, 1381a, 1383, and 1383b).

■ 4. In § 405.315, revise the second sentence in paragraph (e) to read as follows:

**§ 405.315 Time and place for a hearing before an administrative law judge.**

\* \* \* \* \*

(e) *Pilot program.* \* \* \* These provisions will no longer be effective on August 10, 2015, unless we terminate them earlier or extend them beyond that date by notice of a final rule in the **Federal Register**.

**PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED**

**Subpart N—[Amended]**

■ 5. The authority citation for subpart N of part 416 continues to read as follows:

**Authority:** Secs. 702(a)(5), 1631, and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1383, and 1383b); sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 6. In § 416.1436, revise the second sentence in paragraph (h) to read as follows:

**§ 416.1436 Time and place for a hearing before an administrative law judge.**

\* \* \* \* \*

(h) *Pilot program.* \* \* \* These provisions will no longer be effective on August 10, 2015, unless we terminate them earlier or extend them beyond that date by notice of a final rule in the **Federal Register**.

[FR Doc. 2014–16782 Filed 7–17–14; 8:45 am]

BILLING CODE 4191–02–P

**AGENCY FOR INTERNATIONAL DEVELOPMENT**

**22 CFR Part 236**

**Republic of Tunisia Loan Guarantees Issued Under the Further Continuing Appropriations Act, 2013—Standard Terms and Conditions**

**AGENCY:** Agency for International Development (USAID).

**ACTION:** Final rule.

**SUMMARY:** This regulation prescribes the procedures and standard terms and conditions applicable to loan guarantees to be issued for the benefit of the Republic of Tunisia pursuant to Title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012, as applied to FY 2013 funding by section 1706(j) of the Further Continuing Appropriations Act, 2013.

**DATES:** Effective July 17, 2014.

**FOR FURTHER INFORMATION CONTACT:**

Maryam Khosharay, Office of General Counsel, U.S. Agency for International Development, Washington, DC 20523–6601; tel. 202–712–1324, fax 202–216–3058.

**SUPPLEMENTARY INFORMATION:** Pursuant to Title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (Div. I, Pub. L. 112–74), as applied to FY 2013 funding by section 1706(j) of the Further Continuing Appropriations Act, 2013 (Div. F, Pub. L. 113–6), the United States of America, acting through the U.S. Agency for International Development, may issue certain loan guarantees applicable to sums borrowed by Banque Centrale de Tunisie, acting on behalf of the Republic of Tunisia (the “Borrower”), not exceeding an aggregate total of U.S. \$500 million in principal amount. Upon issuance, the loan guarantees shall ensure the Borrower’s repayment of 100% of principal and interest due under such loans and the full faith and credit of the United States of America shall be pledged for the full payment and performance of such guarantee obligations.

This rulemaking document is not subject to rulemaking under 5 U.S.C. 553 or to regulatory review under Executive Order 12866 because it involves a foreign affairs function of the United States. The provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) do not apply.

**List of Subjects in 22 CFR Part 236**

Foreign aid, Foreign relations, Guaranteed loans, Loan programs—foreign relations.

**Authority and Issuance**

Accordingly, a new Part 236 is added to Title 22, Chapter II, of the Code of Federal Regulations, as follows:

**PART 236—REPUBLIC OF TUNISIA LOAN GUARANTEES ISSUED UNDER THE FURTHER CONTINUING APPROPRIATIONS ACT, 2014, DIV. F, PUBLIC LAW 113–6—STANDARD TERMS AND CONDITIONS**

Sec.

- 236.1 Purpose.
- 236.2 Definitions.
- 236.3 The Guarantee.
- 236.4 Guarantee eligibility.
- 236.5 Non-impairment of the Guarantee.
- 236.6 Transferability of Guarantee; Note Register.
- 236.7 Fiscal Agent obligations.
- 236.8 Event of Default; Application for Compensation; payment.
- 236.9 No acceleration of Eligible Notes.
- 236.10 Payment to USAID of excess amounts received by a Noteholder.

- 236.11 Subrogation of USAID.
- 236.12 Prosecution of claims.
- 236.13 Change in agreements.
- 236.14 Arbitration.
- 236.15 Notice.
- 236.16 Governing Law.

**Appendix A to Part 236—Application for Compensation**

**Authority:** Sec. 1706(j), Div. F, Public Law 113–6.

**§ 236.1 Purpose.**

The purpose of the regulations in this part is to prescribe the procedures and standard terms and conditions applicable to loan guarantees issued for the benefit of the Borrower, pursuant to Title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (Div. I, Pub. L. 112–74), as applied to FY 2013 funding by section 1706(j) of the Further Continuing Appropriations Act, 2013 (Div. F, Pub. L. 113–6). The loan guarantees will be issued as provided herein pursuant to the Loan Guarantee Agreement, dated June 3, 2014, between the United States of America and the Republic of Tunisia (the “Loan Guarantee Agreement”). The loan guarantee will apply to sums borrowed during a period beginning on the date that the Loan Guarantee Agreement enters into force and ending thirty days after such date, not exceeding an aggregate total of five hundred million United States Dollars (\$500,000,000) in principal amount. The loan guarantees shall ensure the Borrower’s repayment of 100% of principal and interest due under such loans. The full faith and credit of the United States of America is pledged for the full payment and performance of such guarantee obligations.

**§ 236.2 Definitions.**

Wherever used in the standard terms and conditions set out in this part:

*Applicant* means a Noteholder who files an Application for Compensation with USAID, either directly or through the Fiscal Agent acting on behalf of a Noteholder.

*Application for Compensation* means an executed application in the form of Appendix A to this part which a Noteholder, or the Fiscal Agent on behalf of a Noteholder, files with USAID pursuant to § 236.8.

*Borrower* means Banque Centrale de Tunisie, acting on behalf of Republic of Tunisia.

*Business Day* means any day other than a day on which banks in New York, NY are closed or authorized to be closed or a day which is observed as a federal holiday in Washington, DC, by the United States Government.