

accompanying the MCM as published in the **Federal Register** on July 8, 2015 (80 FR 39077–39089), July 16, 2015 (80 FR 42092–42093), March 22, 2016 (81 FR 15278–15289), June 15, 2016 (81 FR 39035–39039), November 8, 2016 (81 FR 78576–78589), and December 8, 2016 (81 FR 88671). Additionally, it includes Department of Defense Office of General Counsel-approved updates to the following Supplementary Materials:

1. Preface—Lists source documents that amended the MCM and refers individuals to the JSC Web site for source documents.

2. App. 2: Uniform Code of Military Justice—Incorporates amendments contained within the Fiscal Year 2014, 2015, and 2016 National Defense Authorization Acts.

3. App. 3: DoD Directive 5525.7—Updates reference to DoD Instruction 5525.07, “Implementation of the Memorandum of Understanding (MOU) Between the Departments of Justice (DoJ) and Defense Relating to the Investigation and Prosecution of Certain Crimes,” June 18, 2007.

4. App. 4: Charge Sheet (DD Form 458)—Now a blank form.

5. App. 5: Preliminary Hearing Officer’s Report (DD Form 457)—Includes updated DD form.

6. App. 7: Subpoena (DD Form 453)—Now a blank form.

7. App. 8: Guide for Special Courts-Martial and General Courts-Martial—Minor and stylistic changes.

8. App. 9: Guide for Summary Courts-Martial—Minor and stylistic changes.

9. App. 10: Forms of Findings—Clarifies forms of findings.

10. App. 11: Forms of Sentences—Removes confinement on bread and water or diminished rations as lawful punishment to conform with the Rules for Courts-Martial.

11. App. 12: Maximum Punishment Chart—Reflects changes made by Supplementary Materials accompanying EO 13740 of September 16, 2016.

12. App. 12A: Lesser Included Offenses Chart—New; reflects changes made by Supplementary Materials accompanying EO 13740 of September 16, 2016.

13. App. 13: Guide for Preparation for Record of Trial (Not Verbatim)—Accounts for qualifying victims receiving the record of trial and other minor and stylistic changes.

14. App. 14: Guide for Preparation for Record of Trial (Verbatim)—Accounts for qualifying victims receiving the record of trial and other minor and stylistic changes.

15. App. 15: Record of Trial for Summary Courts-Martial—Now a blank form.

16. App. 16: Forms for Action—Adds qualifications based on changes to Article 60 and R.C.M. 1107.

17. App. 18: Report of Vacation Hearing (DD Form 455)—Removed due to changes to R.C.M. 1109.

18. App. 19: Waiver/Withdrawal of Appellate Rights (Review by Court of Criminal Appeals) (DD Form 2330)—Includes updated DD Form.

19. App. 20: Waiver/Withdrawal of Appellate Rights (Review by Office of Judge Advocate General) (DD Form 2331)—Includes updated DD Form.

20. App. 21: Analysis of RCMs—Modifies introductory language and includes changes based on Supplementary Materials approved since MCM (2012 ed.).

21. App. 22: Analysis of Mil. R. Evid.—Modifies introductory language and includes changes based on Supplementary Materials approved since MCM (2012 ed.).

22. App. 23: Analysis of Punitive Articles—Modifies language based on Supplementary Materials approved since MCM (2012 ed.).

23. App. 25: Historical Executive Orders—Modifies introductory language to reference JSC Web site and adds Executive Orders signed since MCM (2012 ed.).

24. Table of Contents and Index—Makes conforming amendments based on changes to MCM.

Any of the aforementioned changes that did not undergo public comment are administrative, technical, or conforming, and therefore public comment was unnecessary or contrary to the sound administration of justice.

Dated: December 30, 2016.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2016–32010 Filed 1–4–17; 8:45 am]

**BILLING CODE 5001–06–P**

## DEPARTMENT OF EDUCATION

[Docket No.: ED–2016–ICCD–0148]

### Agency Information Collection Activities; Comment Request; Migrant Education Program Regulations and Certificate of Eligibility

**AGENCY:** Office of Elementary and Secondary Education (OESE), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

**DATES:** Interested persons are invited to submit comments on or before March 6, 2017.

**ADDRESSES:** To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED–2016–ICCD–0148. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 226–62, Washington, DC 20202–4537.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Sarah Martinez, 202–260–1334.

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public’s reporting burden. It also helps the public understand the Department’s information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.



*Title of Collection:* Migrant Education Program Regulations and Certificate of Eligibility.

*OMB Control Number:* 1810-0662.

*Type of Review:* A revision of an existing information collection

*Respondents/Affected Public:* Individuals or Households; State, Local, and Tribal Governments.

*Total Estimated Number of Annual Responses:* 132,846.

*Total Estimated Number of Annual Burden Hours:* 245,867.

*Abstract:* This collection of information is necessary to collect information under the Title I, Part C Migrant Education Program (MEP). The MEP is authorized under sections 1301–1309 of Part C of Title I of the Elementary and Secondary Education Act (ESEA), as amended. Regulations for the MEP are found at 34 CFR 200.81–200.89. This information collection covers regulations with information collection requirements which pertain to information that State educational agencies (SEAs) must collect in order to properly administer the MEP: 34 CFR 200.83, 200.84, 200.88, and 200.89(b)–(d). Most provisions do not require SEAs to submit the information collected to the Department, with the exception of the provisions under 34 CFR 200.89(b).

The Department is requesting a revision to this currently approved information collection in order to address changes to MEP eligibility made by the Every Student Succeeds Act (ESSA), which reauthorizes and amends the authorizing statute, ESEA. The changes to MEP eligibility criteria must be reflected on the national Certificate of Eligibility (COE), which is an information collection required by 34 CFR 200.89(c). There was an overall reduction in SEA burden and responses. The reduction in burden and responses was achieved not as a result of deliberate Federal government action, but rather due to decreases in the number of eligible migratory children, the number of SEAs participating in the MEP, and the number of SEAs that the

Department expects will be required to implement retrospective re-interviewing. The burden per respondent for the COE as described in 34 CFR 200.89(c) remains the same because although some additional burden is incurred as a result of the added questions (needed to demonstrate compliance with the new statutory language in ESSA), there was an equivalent reduction in burden achieved by the removal of previously included questions (which were needed to demonstrate compliance with the statute, prior to its amendment by ESSA). The annualized burden of 34 CFR 200.83, 200.84, and 200.88 was changed due to those costs occurring at least once per ESEA authorization period of four years (previously six years).

Dated: December 29, 2016.

**Tomakie Washington,**

*Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.*

[FR Doc. 2016–31933 Filed 1–4–17; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

#### Records Governing Off-the-Record Communications' Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e) (1) (v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket No.	File date	Presenter or requester
Prohibited:		
1. CP15–554–000 .....	12–12–2016	Vincent Russell.
2. CP15–554–000 .....	12–12–2016	Eva Cosgrove.
3. CP15–500–000 .....	12–12–2016	Eddy N.
4. CP15–554–000 .....	12–13–2016	Vincent Russell.
5. CP15–17–000 .....	12–19–2016	Mass Mailing. <sup>1</sup>
6. CP15–17–000 .....	12–20–2016	Private Citizen.
7. CP16–10–000 .....	12–23–2016	Caleb Laieski.
Exempt:		
1. CP15–558–000 12–12–2016 Dela-		
ware Township, New Jersey,		
Mayor Susan Lockwood.		