

receive remarks from DHS leadership and other senior Federal officials regarding their report on Catastrophic Power Outages. Additionally, the NIAC will deliberate and vote on their final recommendations for this current report as tasked by the National Security Council.

Agenda

- I. Opening of Meeting
- II. Roll Call of Members
- III. Opening Remarks and Introductions
- IV. Approval of June 2018 Meeting Minutes
- V. Public Comment Catastrophic Power Outage Report
- VI. Catastrophic Power Outage Report Deliberations
- VII. Discussion of New NIAC Business
- VIII. Closing Remarks
- IX. Adjournment

Public Participation

Meeting Registration Information

Due to limited seating, requests to attend in person will be accepted and processed in the order in which they are received. Individuals may register to attend the NIAC meeting by sending an email to NIAC@hq.dhs.gov. For those who cannot attend in person, the meeting's proceedings will also be available via webcast at www.whitehouse.gov/live.

Public Comment

While this meeting is open to the public, participation in NIAC deliberations are limited to council members. A public comment period will be held during the meeting from approximately 10:30 a.m.–10:45 a.m. EST. Speakers who wish to comment on the draft catastrophic power outage report must register in advance and can do so by emailing NIAC@hq.dhs.gov no later than Wednesday, December 12, 2018, at 5 p.m. EST. Speakers are requested to limit their comments to three minutes. Please note that the public comment period may end before the time indicated, following the last call for comments.

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact NIAC@hq.dhs.gov as soon as possible.

Dated: November 16, 2018.

Ginger K. Norris,

Designated Federal Officer, National Infrastructure Advisory Council, National Protection and Programs Directorate, Department of Homeland Security.

[FR Doc. 2018–25524 Filed 11–21–18; 8:45 am]

BILLING CODE 9110–9P–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6128–N–01]

Notice of Certain Operating Cost Adjustment Factors for 2019

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: This notice establishes operating cost adjustment factors (OCAFs) for project-based assistance contracts issued under Section 8 of the United States Housing Act of 1937 and renewed under the Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA) for eligible multifamily housing projects having an anniversary date on or after February 11, 2019. OCAFs are annual factors used to adjust Section 8 rents renewed under section 515 or section 524 of MAHRA.

DATES: *Applicability Date:* February 11, 2019.

FOR FURTHER INFORMATION CONTACT: Carissa Janis, Program Analyst, Office of Asset Management and Portfolio Oversight, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; telephone number 202–402–2487 (this is not a toll-free number). Hearing- or speech-impaired individuals may access this number through TTY by calling the toll-free Federal Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION:

I. OCAFs

Section 514(e)(2) and section 524(c)(1) of MAHRA (42 U.S.C. 1437f note) require HUD to establish guidelines for the development of OCAFs for rent adjustments. Sections 524(a)(4)(C)(i), 524(b)(1)(A), and 524(b)(3)(A) of MAHRA, all of which prescribe the use of the OCAF in the calculation of renewal rents, contain similar language. HUD has therefore used a single methodology for establishing OCAFs, which vary among states and territories.

MAHRA gives HUD broad discretion in setting OCAFs, referring, for example, in sections 524(a)(4)(C)(i), 524(b)(1)(A), 524(b)(3)(A) and 524(c)(1) simply to “an

operating cost adjustment factor established by the Secretary.” The sole limitation to this grant of authority is a specific requirement in each of the foregoing provisions that application of an OCAF “shall not result in a negative adjustment.” Contract rents are adjusted by applying the OCAF to that portion of the rent attributable to operating expenses exclusive of debt service.

The OCAFs provided in this notice are applicable to eligible projects having a contract anniversary date of February 11, 2019 or after and were calculated using the same method as those published in HUD’s 2018 OCAF notice published on November 2, 2017 (82 FR 50888). Specifically, OCAFs are calculated as the sum of weighted component cost changes for wages, employee benefits, property taxes, insurance, supplies and equipment, fuel oil, electricity, natural gas, and water/sewer/trash using publicly available indices. The weights used in the OCAF calculations for each of the nine cost component groupings are set using current percentages attributable to each of the nine expense categories. These weights are calculated in the same manner as in the November 2, 2017 notice. Average expense proportions were calculated using three years of audited Annual Financial Statements from projects covered by OCAFs. The expenditure percentages for these nine categories have been found to be very stable over time but using three years of data increases their stability. The nine cost component weights were calculated at the state level, which is the lowest level of geographical aggregation with enough projects to permit statistical analysis. These data were not available for the Western Pacific Islands, so data for Hawaii were used as the best available indicator of OCAFs for these areas.

The best current price data sources for the nine cost categories were used in calculating annual change factors. State-level data for fuel oil, electricity, and natural gas from Department of Energy surveys are relatively current and continue to be used. Data on changes in employee benefits, insurance, property taxes, and water/sewer/trash costs are only available at the national level. The data sources for the nine cost indicators selected used were as follows:

- *Labor Costs:* First quarter, 2018 Bureau of Labor Statistics (BLS) ECI, Private Industry Wages and Salaries, All Workers (Series ID CIU202000000000I) at the national level and Private Industry Benefits, All Workers (Series ID CIU203000000000I) at the national level.

- **Property Taxes:** Census Quarterly Summary of State and Local Government Tax Revenue—Table 1 <http://www2.census.gov/govs/qtax/20172018/q1t1.xls><http://www2.census.gov/govs/qtax/2017/q1t1.xls>. 12-month property taxes are computed as the total of four quarters of tax receipts for the period from April through March. Total 12-month taxes are then divided by the number of occupied housing units to arrive at average 12-month tax per housing unit. The number of occupied housing units is taken from the estimates program at the Bureau of the Census. <http://www.census.gov/housing/hvs/data/histtab8.xlsx>.
- **Goods, Supplies, Equipment:** May 2017 to May 2018 Bureau of Labor Statistics (BLS) Consumer Price Index, All Items Less Food, Energy and Shelter (Series ID CUUR0000SA0L12E) at the national level.
- **Insurance:** May 2017 to May 2018 Bureau of Labor Statistic (BLS) Consumer Price Index, Tenants and Household Insurance Index (Series ID CUUR0000SEHD) at the national level.
- **Fuel Oil:** October 2017–March 2018 U.S. Weekly Heating Oil and Propane Prices report. Average weekly residential heating oil prices in cents per gallon excluding taxes for the period from October 2, 2017 through the week of March 26, 2018 are compared to the average from October 3, 2016 through the week of March 27, 2017. For the States with insufficient fuel oil consumption to have separate estimates, the relevant regional Petroleum Administration for Defense Districts (PADD) change between these two periods is used; if there is no regional PADD estimate, the U.S. change between these two periods is used. http://www.eia.gov/dnav/pet/pet_pri_wfr_a_EP2F_prs_dpgal_w.htm.
- **Electricity:** Energy Information Agency, February 2018 “Electric Power Monthly” report, Table 5.6.B. http://www.eia.gov/electricity/monthly/epm_table_grapher.cfm?t=epmt_5_06_b.
- **Natural Gas:** Energy Information Agency, Natural Gas, Residential Energy Price, 2016–2017 annual prices in dollars per 1,000 cubic feet at the state level. Due to EIA data quality standards several states were missing data for one or two months in 2017; in these cases, data for these missing months were estimated using data from the surrounding months in 2017 and the relationship between that same month and the surrounding months in 2016. http://www.eia.gov/dnav/ng/ng_pri_sum_a_EPGO_PRS_DMcf_a.htm.
- **Water and Sewer:** May 2017 to May 2018 Consumer Price Index, All Urban

Consumers, Water and Sewer and Trash Collection Services (Series ID CUUR0000SEHG) at the national level. The sum of the nine cost component percentage weights equals 100 percent of operating costs for purposes of OCAF calculations. To calculate the OCAFs, state-level cost component weights developed from AFS data are multiplied by the selected inflation factors. For instance, if wages in Virginia comprised 50 percent of total operating cost expenses and increased by 4 percent from 2017 to 2018 the wage increase component of the Virginia OCAF for 2019 would be 2.0 percent (50% * 4%). This 2.0 percent would then be added to the increases for the other eight expense categories to calculate the 2019 OCAF for Virginia. For states where the calculated OCAF is less than zero, the OCAF is floored at zero. The OCAFs for 2019 are included as an Appendix to this Notice.

II. MAHRA OCAF Procedures

Sections 514 and 515 of MAHRA, as amended, created the Mark-to-Market program to reduce the cost of federal housing assistance, to enhance HUD’s administration of such assistance, and to ensure the continued affordability of units in certain multifamily housing projects. Section 524 of MAHRA authorizes renewal of Section 8 project-based assistance contracts for projects without restructuring plans under the Mark-to-Market program, including projects that are not eligible for a restructuring plan and those for which the owner does not request such a plan. Renewals must be at rents not exceeding comparable market rents except for certain projects. As an example, for Section 8 Moderate Rehabilitation projects, other than single room occupancy projects (SROs) under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 *et seq.*), that are eligible for renewal under section 524(b)(3) of MAHRA, the renewal rents are required to be set at the lesser of: (1) The existing rents under the expiring contract, as adjusted by the OCAF; (2) fair market rents (less any amounts allowed for tenant-purchased utilities); or (3) comparable market rents for the market area.

III. Findings and Certifications

Environmental Impact

This notice sets forth rate determinations and related external administrative requirements and procedures that do not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly,

under 24 CFR 50.19(c)(6), this notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Paperwork Reduction Act

This notice does not impact the information collection requirements already submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). In accordance with the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

Catalog of Federal Domestic Assistance Number

The Catalog of Federal Domestic Assistance Number for this program is 14.195.

Dated: November 14, 2018.

Brian D. Montgomery,
Assistant Secretary for Housing, Federal Housing Commissioner.

Appendix

OPERATING COST ADJUSTMENT FACTORS FOR 2019

State	OCAF (%)
Alabama	2.9
Alaska	3.5
Arizona	2.7
Arkansas	2.8
California	2.9
Colorado	2.7
Connecticut	3.1
Delaware	2.6
District of Columbia	3.0
Florida	2.9
Georgia	2.9
Hawaii	3.2
Idaho	2.7
Illinois	3.1
Indiana	2.8
Iowa	3.2
Kansas	2.6
Kentucky	2.7
Louisiana	2.6
Maine	3.0
Maryland	2.7
Massachusetts	2.8
Michigan	2.7
Minnesota	3.0
Mississippi	3.0
Missouri	2.6
Montana	2.6
Nebraska	3.0
Nevada	2.7
New Hampshire	3.2
New Jersey	3.1
New Mexico	3.2
New York	3.1
North Carolina	2.6
North Dakota	2.8

OPERATING COST ADJUSTMENT
FACTORS FOR 2019—Continued

State	OCAF (%)
Ohio	2.7
Oklahoma	2.7
Oregon	2.6
Pacific Islands	3.2
Pennsylvania	2.9
Puerto Rico	2.6
Rhode Island	2.5
South Carolina	2.7
South Dakota	2.8
Tennessee	2.7
Texas	2.9
Utah	2.6
Vermont	0.9
Virgin Islands	2.5
Virginia	2.6
Washington	2.7
West Virginia	2.6
Wisconsin	3.0
Wyoming	2.7
U.S.	2.9

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–ES–2018–N145; MO# 300030113;
OMB Control Number 1018–0119]

Agency Information Collection
Activities; Submission to the Office of
Management and Budget for Review
and Approval; Policy for Evaluation of
Conservation Efforts When Making
Listing Decisions (PECE)

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Notice of information collection;
request for comment.

SUMMARY: In accordance with the
Paperwork Reduction Act of 1995, we,
the U.S. Fish and Wildlife Service, are
proposing to renew an information
collection with revisions.

DATES: Interested persons are invited to
submit comments on or before
December 24, 2018.

ADDRESSES: Send written comments on
this information collection request (ICR)
to the Office of Management and
Budget's Desk Officer for the
Department of the Interior by email at
OIRA_Submission@omb.eop.gov; or via
facsimile to (202) 395–5806. Please
provide a copy of your comments to the
Service Information Collection
Clearance Officer, U.S. Fish and
Wildlife Service, MS: BPHC, 5275
Leesburg Pike, Falls Church, VA 22041–
3803 (mail); or by email to *Info_Coll@
fws.gov*. Please reference OMB Control

Number 1018–0119 in the subject line of
your comments.

FOR FURTHER INFORMATION CONTACT: To
request additional information about
this ICR, contact Madonna L. Baucum,
Service Information Collection
Clearance Officer, by email at *Info_
Coll@fws.gov*, or by telephone at (703)
358–2503. You may also view the ICR
at [http://www.reginfo.gov/public/do/
PRAMain](http://www.reginfo.gov/public/do/PRAMain).

SUPPLEMENTARY INFORMATION: In
accordance with the Paperwork
Reduction Act of 1995, we provide the
general public and other Federal
agencies with an opportunity to
comment on new, proposed, revised,
and continuing collections of
information. This helps us assess the
impact of our information collection
requirements and minimize the public's
reporting burden. It also helps the
public understand our information
collection requirements and provide the
requested data in the desired format.

A **Federal Register** notice with a 60-
day public comment period soliciting
comments on this collection of
information was published on February
28, 2018 (83 FR 8698). The following
comments were received:

Comment 1: Letter dated April 30,
2018, from Myles P. Culhane, Assistant
General Counsel, Occidental Petroleum
Corporation. Received via email on
April 30, 2018.

Occidental Petroleum Corporation
provided comments on whether PECE is
necessary to the proper functions of the
Service, whether we will use the
information in a timely manner, and
how to enhance the information being
collected. They stated that PECE is very
important to encourage voluntary
conservation efforts prior to listing
decisions such that listing may not be
necessary. They offered three
suggestions to improve information
collection in the context of specific
listing decisions:

(1) Ensure that we are collecting the
right types of information by
considering what will be useful in
predicting future conservation actions
and results, and articulating the factors
we think will inform such predictions,
(2) Ensure that we have the ability to
update our listing decisions up until the
last minute regarding current
information about conservation efforts, and

(3) Ensure that PECE analyses are
cumulative and include all qualifying
conservation efforts together rather than
in isolation.

FWS Response to Comment 1: The
Service appreciates this comment and
does consider the best available

scientific and commercial information
received through the public comment
period, information solicitation, or other
means related to conservation efforts
when making listing determinations.
The Service maintains that in every
proposed or final listing decision, we
articulate the species' needs, the threats
to the species and its response to those
threats, and any actions that may
ameliorate or exacerbate those threats.
Each particular situation is unique, but
in the Service's final PECE, we
articulated the non-exhaustive list of
criteria that we would use to evaluate
each conservation effort that did not
have a track record of implementation
or effectiveness. The Service is required
to consider best available scientific and
commercial information in making
listing decisions, including information
on conservation efforts that do not have
a track record of implementation or
effectiveness. The Service evaluates the
certainty of implementation and
effectiveness by considering the criteria
in the PECE, and those efforts that meet
the PECE standard of sufficiently certain
to be implemented and effective are
then evaluated in the status assessment
for the species. The Service understands
that stakeholders want a transparent and
flexible process, and the Service is open
to communication and collaboration
with these stakeholders which will
encourage conservation of species.

Comment 2: Letter dated April 27,
2018, from Steve Wright, General
Manager, Public Utility District No. 1 of
Chelan County, WA. Received via email
on May, 7, 2018.

Chelan Public Utility District No. 1
commented that it finds PECE useful
because it encourages aggregation of
information about conservation efforts,
which can provide notice to permit
applicants and other entities possibly
affected by a listing, both of the listing
and the efforts. It can also encourage
entities to participate in conservation
efforts, which can be meaningful for
species. It finds that encouraging
conservation efforts is consistent with
the ESA and benefits species.

FWS Response to Comment 2: The
Service appreciates the District's
comments about the utility and benefits
of PECE.

We are again soliciting comments on
the proposed ICR that is described
below. We are especially interested in
public comment addressing the
following issues: (1) Is the collection
necessary to the proper functions of the
Service; (2) will this information be
processed and used in a timely manner;
(3) is the estimate of burden accurate;
(4) how might the Service enhance the
quality, utility, and clarity of the