

commenter concerns and minimize burdens resulting from the proposed rule's requirements. Additionally, many of the amendments are designed to revert to existing requirements in the NASD and NYSE rules. For example, in Amendment No. 1, FINRA proposed to respond to commenter concerns by, among other things:

- Deleting references to MSRB rules, noting that members are separately obligated to comply with MSRB Rule G-27;

- Deleting proposed FINRA Rule 3110.03 (One-Person OSJs), in light of comments concerning the negative impact and costs of the proposed requirement, especially for independent firms;<sup>222</sup>

- Replacing the presumption in proposed FINRA Rule 3110.03 (Supervision of Multiple OSJs by a Single Principal) that assigning one principal to be the on-site principal at more than two OSJs is unreasonable with a general statement that assigning a principal to more than one OSJ will be subject to scrutiny;

- Modifying proposed Rule 3310.05 to incorporate additional clarification regarding a member's risk-based review system;

- Clarifying in proposed FINRA Rules 3110(b)(6)(D) and 3110(c)(3)(A) that the provisions do not create a strict liability obligation requiring identification and elimination of all conflicts of interest;

- Revising the definition of "covered account" in proposed FINRA Rule 3110(d) to align the definition with existing NYSE guidance; and

- Clarifying in proposed FINRA Rule 3120(b) that a firm must only comply with the requirement to include certain additional content in its report to senior management only to the extent applicable to the member's business, noting that not all the content requirements are relevant to every firm.

Additionally, in its responses, FINRA provided guidance and clarifications concerning the provisions noted above and other provisions, as well as general matters, about which commenters raised concerns. For example, FINRA responded to comments concerning costs,<sup>223</sup> the application of a risk-based approach,<sup>224</sup> review of correspondence and internal communications,<sup>225</sup> review of transactions,<sup>226</sup> review of customer

complaints,<sup>227</sup> and maintenance and communication of written supervisory procedures,<sup>228</sup> among others.

In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation.<sup>229</sup> As discussed above, the Commission believes that the proposed rule change, as amended by Amendment No. 1, is consistent with Sections 15A(b)(6) and 15A(b)(9) of the Act. The Commission "has long emphasized that the responsibility of broker-dealers to supervise their employees is a critical component of the federal regulatory scheme."<sup>230</sup> By harmonizing current NASD and NYSE supervisory rules into one consolidated FINRA rulebook, the proposed rule will protect investors and the public interest while also enhancing efficiency. Among other things, the proposed rule would incorporate additional flexibility in some instances by permitting firms to implement risk-based principles consistent with a firm's business model. The proposed rule also takes into account potential inefficiencies that firms could experience if FINRA adopted the expanded definition of "covered accounts." As a result, FINRA amended the definition in Amendment No. 1 to align it with current guidance.

The Commission also believes that the proposed rule takes into account competitive concerns that could arise from different supervisory approaches for different product lines, business models, business size, and resources. Moreover, by permitting a risk-based principles approach when applying certain supervisory standards, the proposed rule is designed to allow firms to implement supervisory policies and procedures and programs in a manner consistent with their business models.

The Commission has reviewed the record for the proposed rule change and notes that the record does not contain any information to indicate that the proposed rule would have a significant effect on capital formation. The Commission believes that the effect of the proposed rule is beneficial and that the changes will enhance investor confidence by promoting robust supervisory policies and procedures, programs, and controls that can be flexibly applied to account for member firms' business models.

## V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>231</sup> that the proposed rule change (SR-FINRA-2013-025), as modified by Amendment No. 1 be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>232</sup>

**Kevin M. O'Neill,**

*Deputy Secretary.*

[FR Doc. 2013-31134 Filed 12-27-13; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF STATE

[Public Notice 8578]

### Culturally Significant Objects Imported for Exhibition Determinations: "Miró: The Experience of Seeing"

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition "Miró: The Experience of Seeing," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Seattle Art Museum, Seattle, WA, from on or about February 13, 2014, until on or about May 18, 2014, the Nasher Museum of Art at Duke University, from on or about August 28, 2014, until on or about February 22, 2015, the Denver Art Museum, from on or about March 22, 2015, until on or about June 28, 2015, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6467). The mailing address is U.S. Department of

<sup>222</sup> The Commission notes that FINRA urges firms to conduct focused reviews of one-person OSJs that conduct sales-related activity.

<sup>223</sup> See *supra* Sections III(D)(2), III(F)(1), and III(K)(2).

<sup>224</sup> See *supra* Sections III(E)(1), III(F)(1), and III(F)(2).

<sup>225</sup> See *supra* Section III(F).

<sup>226</sup> See *supra* Section III(E).

<sup>227</sup> See *supra* Section III(G).

<sup>228</sup> See *supra* Section III(I).

<sup>229</sup> See 15 U.S.C. 78c(f).

<sup>230</sup> SEC, Division of Market Regulation (now known as, Division of Trading and Markets), Staff Legal Bulletin No. 17: Remote Office Supervision (March 19, 2004).

<sup>232</sup> 17 CFR 200.30-3(a)(12).

State, SA-5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: December 18, 2013.

**Evan M. Ryan,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2013-31087 Filed 12-27-13; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF STATE

[Public Notice 8579]

### Culturally Significant Objects Imported for Exhibition Determinations: “Khirbet el-Maqatir: History of a Biblical Site”

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236-3 of August 28, 2000, I hereby determine that the objects to be included in the exhibition, “Khirbet el-Maqatir: History of a Biblical Site,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Dunham Bible Museum, Houston Baptist University, Houston, Texas, from on or about January 21, 2014, until on or about December 19, 2014, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6469). The mailing address is U.S. Department of State, SA-5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: December 20, 2013.

**Evan Ryan,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2013-31064 Filed 12-27-13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Buy America Waiver Notification

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice provides information regarding the FHWA's finding that a partial Buy America waiver is appropriate for the obligation of Federal-aid funds for 112 State requests regarding specific vehicle projects (including sedans, vans, pickups, SUVs, trucks, buses, and equipment, such as backhoes, street sweepers, tractors and low emission locomotives), including projects to retrofit vehicles with individual vehicle components, so long as they are assembled in the United States. The FHWA's Buy America requirements provide that 100 percent of all steel and iron comprising a predominantly steel and iron product that is permanently incorporated into a project must be domestically manufactured. With respect to vehicles, manufacturers typically assemble these products with many different components and subcomponents containing steel and iron. As a result, vehicles are typically referred to as being made where the final product rolls off the assembly line for delivery into the marketplace. The FHWA is unaware of any vehicle that is comprised of 100 percent domestically produced steel and iron, resulting in a need for a partial Buy America waiver for these projects to proceed.

**DATES:** The effective date of the waiver is December 31, 2013.

**FOR FURTHER INFORMATION CONTACT:** For questions about this notice, please contact Mr. Gerald Yakowenko, FHWA Office of Program Administration, (202) 366-1562, or via email at [gerald.yakowenko@dot.gov](mailto:gerald.yakowenko@dot.gov). For legal questions, please contact Mr. Michael Harkins, FHWA Office of the Chief Counsel, (202) 366-4928, or via email at [michael.harkins@dot.gov](mailto:michael.harkins@dot.gov). Office hours for the FHWA are from 8:00 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this document may be downloaded from the **Federal Register's** home page at: <http://www.archives.gov> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

## Background

The FHWA's Buy America requirements at 23 U.S.C. 313 require a domestic manufacturing process for any steel or iron products (including protective coatings) that are permanently incorporated in a Federal-aid project. The statute also provides for a waiver of the Buy America requirements when the application would be inconsistent with the public interest or when satisfactory quality domestic steel and iron products are not sufficiently available. This notice provides information regarding the FHWA's finding that a partial Buy America waiver is appropriate for the obligation of Federal-aid funds for the purchase of 112 State requests regarding specific vehicle projects (including sedans, vans, pickups, SUVs, trucks, buses, and equipment, such as backhoes, street sweepers, and tractors and low emission locomotives).<sup>1</sup>

In accordance with Division A, section 122 of the “Consolidated and Further Continuing Appropriations Act, 2012” (Pub. L. 112-284), the FHWA published a notice of intent to issue a waiver on its Web site for 112 State requests regarding specific vehicle projects (including sedans, vans, pickups, SUVs, trucks, buses, and equipment, such as backhoes, street sweepers, and tractors) (<http://www.fhwa.dot.gov/construction/contracts/waivers.cfm?id=93>) on November 15th. The FHWA received 20 comments in response to the publication. No commenter objected to the waiver, and one commenter expressed concern regarding FHWA's current process of approving a waiver for vehicle retrofit projects under the Congestion Mitigation Air Quality (CMAQ) Improvement Program. This commenter suggested that FHWA should make all diesel retrofit devices and components exempt from the Buy America requirements.

The FHWA appreciates the need to provide clear guidance concerning the application of Buy America requirements to vehicles and diesel engine retrofit projects; however, the issuance of guidance for that subject is outside of the scope of this Notice. The FHWA issued a **Federal Register** Notice and Request for Comment on various aspects of the Buy America requirements on July 10, 2013. The FHWA is currently evaluating all comments and assessing the need for additional guidance or clarification.

Based on all the information available to the agency, the FHWA concludes that

<sup>1</sup> See <http://www.fhwa.dot.gov/construction/contracts/cmaq131115.cfm>