

Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), partially resolving Clean Air Act claims against Volkswagen Group of America, Inc., and others, concerning certain noncompliant 2.0 and 3.0 liter diesel vehicles.

On January 4, 2016, the United States, on behalf of the Environmental Protection Agency ("EPA"), filed a complaint against Volkswagen AG, Volkswagen Group of America Chattanooga Operations, LLC, and Audi AG (the "VW Defendants"), and Dr. Ing. h.c. F. Porsche AG, and Porsche Cars North America, Inc. (the "Porsche Defendants") alleging that the defendants violated Sections 203(a)(1), (2), (3)(A), and (3)(B) of the Clean Air Act ("Act"), 42 U.S.C. 7522(a)(1), (2), (3)(A), and (3)(B), with regard to approximately 500,000 model year 2009 to 2015 motor vehicles containing 2.0 liter diesel engines (2.0 Liter Subject Vehicles) and approximately 80,000 model year 2009 to 2016 motor vehicles containing 3.0 liter diesel engines (3.0 Liter Subject Vehicles). An amended complaint was filed on October 7, 2016. The United States' complaint (initial and as amended) alleges that each 2.0 and 3.0 Liter Subject Vehicle contains computer algorithms that are prohibited defeat devices that cause the emissions control system of those vehicles to perform differently during normal vehicle operation and use than during emissions testing. The complaint alleges that the defeat devices cause the vehicles, during normal vehicle operation and use, to emit levels of oxides of nitrogen ("NO_x") significantly in excess of EPA-compliant levels. The complaint seeks, among other things, injunctive relief to remedy the violations, including mitigation of excess NO_x emissions, and civil penalties.

The proposed Third Partial Consent Decree ("Decree") is entered into between the United States and all defendants. This Decree addresses defendants' liability under the Clean Air Act for civil penalties and injunctive relief to prevent similar violations in the future. Under the Decree, the Defendants must pay a civil penalty of \$1,450,000,000, with interest running from the date of lodging, which resolves the civil penalty claims of both EPA and, pursuant to a separate agreement, U.S. Customs and Border Protection.

The VW Defendants and the Porsche Defendants are also each required to undertake a number of specific corporate governance reforms and to perform in-use testing of their vehicles using a portable emissions measurement system. In addition, the VW Defendants

must retain an independent compliance auditor for a three-year period to review the VW Defendants' compliance with the Decree.

The publication of this notice opens a period for public comment on the Third Partial Consent Decree. Comments concerning the Decree should be addressed to the Assistant Attorney General, Environment and Natural Resources Division and should refer to *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By e-mail	pubcomment-ees.enrd@usdoj.gov .
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

The Third Partial Consent Decree may be viewed and downloaded from <http://www.cand.uscourts.gov/crb/vwmdl>. During the public comment period, the Decree may also be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Third Partial Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$20.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Karen S. Dworkin,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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DEPARTMENT OF JUSTICE

[OMB Number 1121-0314]

Bureau of Justice Statistics; Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection Firearm Inquiry Statistics (FIST) Program

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until March 27, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Allina D. Lee, Statistical Policy Advisor, Bureau of Justice Statistics, 810 Seventh Street NW., Washington, DC 20531 (phone: 202-305-2696).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques

or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* 2016 Firearm Inquiry Statistics Program: Annual Survey of Background Checks for Firearm Transfers and Permits.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* There is no agency form number at this time. The applicable component within the Department of Justice is the Bureau of Justice Statistics, in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Through the Firearm Inquiry Statistics (FIST) Program, the Bureau of Justice Statistics (BJS) obtains information from state and local checking agencies responsible for maintaining records on the number of background checks for firearm transfers or permits that were issued, processed, tracked, or conducted during the calendar year. Specifically, state and local checking agencies are asked to provide information on the number of applications and denials for firearm transfers received or tracked by the agency, and reasons why an application was denied. BJS combines these data with the Federal Bureau of Investigation's (FBI) National Instant Criminal Background Check System transaction data to produce comprehensive national statistics on firearm application and denial activities resulting from the Brady Handgun Violence Prevention Act of 1993 (the Brady Act) and similar state laws governing background checks and firearm transfers. BJS also collects information from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) on FBI denials screened and referred to ATF field offices for investigation and possible prosecution. BJS began the FIST program in 1995 and collects FIST data annually. BJS publishes FIST data on the BJS Web site in statistical tables and uses the information to respond to inquiries from Congress, federal, state, and local government officials, researchers, students, the media, and other members of the general public interested in criminal justice statistics.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 1,044 checking

agencies will take part in the 2016 FIST survey, including the 34 state agency reporters that provide complete statewide counts of applications of firearm transfers or permits and denials, a full census of local checking agencies in 9 states where the local agencies are the FIST points-of-contact, and a sample of agencies in 3 states where local checking agencies are responsible for conducting background checks. Based on testing of the current survey form and BJS's extensive history conducting the FIST collection, BJS estimates that the burden will vary depending on the number of permit or transfer types the respondent agency conducts background checks: 20 minutes for agencies that conduct background checks for 1 type; 30 minutes for agencies that conduct background checks for 2 types; and 30 minutes for state reporting agencies. The overall estimated burden is 25 minutes, which is consistent with the burden associated with the 3 most recent collections (2012, 2014, and 2015).

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 435 hours annually. It is estimated that respondents will take 25 minutes to complete a questionnaire. The burden hours for collecting respondent data sum to 435 hours (1,044 respondents $\times$ 25 minutes = 435 hours).

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: January 18, 2017.

Melody Braswell,
Department Clearance Officer for PRA, U.S.
Department of Justice.

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DEPARTMENT OF JUSTICE

[OMB Number 1110-0056]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection

AGENCY: Department of Justice, Federal Bureau of Investigation, Critical Incident Response Group, Investigative and Operational Support Section, National Center for the Analysis of Violent Crime (NCAVC).

ACTION: 30-day notice.

SUMMARY: The Department of Justice, Federal Bureau of Investigation, Critical Incident Response Group has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with established review procedures of the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until February 23, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Lesa Marcolini, Federal Bureau of Investigation, Critical Incident Response Group, FBI Academy, Quantico, Virginia 22135.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* FBI-NCAVC Satisfaction Survey.

3. *The agency form number, if any, and the applicable component of the*