

methods by which that revenue is collected.

- Whether the market is owned, operated or otherwise affiliated with a government entity.
- Types of counterfeit or pirated products or services sold, traded, distributed or otherwise made available at that market.
- Volume of counterfeit or pirated goods or services or other indicia of a market's scale, reach or relative significance in a given geographic area or with respect to a category of goods or services.
- Estimates of economic harm to right holders resulting from the piracy or counterfeiting and a description of the methodology used to calculate the harm.
- Whether the volume of counterfeit or pirated goods or estimates of harm has increased or decreased from previous years, and an approximate calculation of that increase or decrease for each year.
- Whether the infringing goods or services sold, traded, distributed or made available pose a risk to public health or safety.
- Any known contractual, civil, administrative or criminal enforcement activity against the market and the outcome of that enforcement activity.
- Additional actions taken by rights holders against the market such as takedown notices, requests to sites to remove URLs or infringing content, cease and desist letters, warning letters to landlords and requests to enforce the terms of their leases, requests to providers to enforce their terms of service or terms of use, and the outcome of these actions.
- Additional actions taken by the market owners or operators to remove, limit or discourage the availability of counterfeit or pirated goods or services, including policies to prevent or remove access to such goods or services, or to disable seller or user accounts; the effectiveness of market policies and guidelines in addressing counterfeiting and piracy; and the level of cooperation with right holders and law enforcement.
- Any other additional information relevant to the review.

### III. Submission Instructions

All submissions must be in English and sent electronically via [www.regulations.gov](http://www.regulations.gov). To submit comments, locate the docket (folder) by entering the docket number USTR-2017-0015 in the "Enter Keyword or IP" window at the [www.regulations.gov](http://www.regulations.gov) homepage and click "Search." The site will provide a search-results page listing all documents associated with this docket. Locate the reference to this

notice by selecting "Notice" under "Document Type" on the left side of the search-results page, and click on the link entitled "Comment Now!" You should provide comments in an attached document, and name the file according to the following protocol, as appropriate: Commenter Name or Organization\_2017 Notorious Markets OCR. Please include the following information in the "Type Comment" field: "2017 Out-of-Cycle Review of Notorious Markets." USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf) format. If the submission is in another file format, please indicate the name of the software application in the "Type Comment" field. For further information on using the [www.regulations.gov](http://www.regulations.gov) Web site, please select "How to Use Regulations.gov" on the bottom of any page.

Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the comments themselves. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the same file as the comment itself, rather than submitting them as separate files.

For any comment submitted electronically that contains business confidential information, the file name of the business confidential version should begin with the characters "BC". Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page and the submission should clearly indicate, via brackets, highlighting, or other means, the specific information that is business confidential. A filer requesting business confidential treatment must certify that the information is business confidential and would not customarily be released to the public by the submitter. Additionally, the submitter should type "Business Confidential 2017 Out-of-Cycle Review of Notorious Markets" in the "Comment" field.

Filers of comments containing business confidential information also must submit a public version of their comments. The file name of the public version should begin with the character "P". The non-business confidential version will be placed in the docket at [www.regulations.gov](http://www.regulations.gov) and be available for public inspection.

As noted, USTR strongly urges submitters to file comments through [www.regulations.gov](http://www.regulations.gov). You must make any alternative arrangements in advance of the relevant deadline and before transmitting a comment by contacting USTR at [Special301@ustr.eop.gov](mailto:Special301@ustr.eop.gov).

We will post comments in the docket for public inspection, except business confidential information. You can view comments on the <https://www.regulations.gov> Web site by entering docket number USTR-2017-0015 in the search field on the home page.

**Elizabeth Kendall,**

*Acting Assistant U.S. Trade Representative for Innovation and Intellectual Property, Office of the United States Trade Representative.*

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**BILLING CODE 3290-F7-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2017-0006]

#### Agency Information Collection Activities; Reinstatement of an Information Collection: Practices of Household Goods Brokers

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for reinstatement and approval and invites public comment. The FMCSA requests approval to reinstate, with changes, the ICR titled "Practices of Household Brokers" to no longer include one-time costs previously incurred by brokers, and to update other wage related costs that have changed since the last approval. This ICR requires reinstatement because the previous ICR expired on July 31, 2017, before the ICR renewal request could be submitted to OMB for approval. The reinstatement of this ICR is necessary, and FMCSA's responsibility to ensure consumer protection in the transportation of household goods (HHG).

**DATES:** Please send your comments by September 15, 2017. OMB must receive your comments by this date in order to act quickly on the ICR.

**ADDRESSES:** All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA-2017-0006. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of

Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov), or faxed to (202) 395-6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Monique Riddick, Commercial Enforcement and Investigations Division, U. S. Department of Transportation, Federal Motor Carrier Safety Administration, West Building 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590-0001. Telephone: 202-366-8045; email [monique.riddick@dot.gov](mailto:monique.riddick@dot.gov).

**SUPPLEMENTARY INFORMATION:** There were no comments received from the 60-day **Federal Register** notice (82 FR 14102) published on March 16, 2017.

*Background:* FMCSA amended then-existing regulations for brokers in response to Title IV, Subtitle B of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59) and a petition for rulemaking from the American Moving and Storage Association (AMSA). The final rule, titled "Brokers of Household Goods Transportation by Motor Vehicles," (75 FR 72987, Nov. 29, 2010), amended 49 CFR part 371, by providing additional consumer protection responsibilities for brokers of HHG. Specifically, section 4212 of SAFETEA-LU directs the Secretary to require HHG brokers to provide individual shippers with the following information whenever a broker has contact with a shipper or potential shipper:

1. The broker's USDOT number.
2. The FMCSA booklet titled "Your Rights and Responsibilities When You Move."
3. A list of all authorized motor carriers providing transportation of HHG used by the broker and a statement that the broker is not a motor carrier providing transportation of HHG.

The collection of information required in the referenced final rule assists shippers in their business dealings with interstate HHG brokers. The information collected is used by prospective shippers to make informed decisions about contracts, services ordered, executed, and settled. The HHG broker is often the primary contact for individual shippers and in the best position to educate shippers and prepare them for a successful move. The

information collected makes that possible. It also combats deceptive business practices as the information helps enforcement personnel better protect consumers by verifying that shippers are receiving information to which they are entitled by regulation.

HHG brokers are required to provide individual shippers the "Your Rights and Responsibilities When You Move" booklet and the "Ready to Move" brochure. They have the option of providing paper copies or presenting the information through a link on their Internet Web site. The broker is required to document with signed receipts that the individual shipper was provided those materials. HHG brokers are also required to provide the list of HHG motor carriers for which it would arrange transportation to move a potential individual shipper's HHG, and that broker's identification information:

1. Assigned USDOT number; and
2. Address.

With this renewal, FMCSA makes a change to the collection to an adjustment in estimate. A program estimate change of 19,522 annual burden hours is the result of the removal of a 1,000 burden-hours that are no longer applicable. There is also an updated estimate in the number of household goods brokers which also contributes to the change of 19,522 in the calculated burden hours.

*Title:* Practices of Household Goods Brokers.

*OMB Control Number:* 2126-0048.

*Type of Request:* Reinstatement of an information collection.

*Respondents:* Brokers of Household Goods.

*Estimated Number of Respondents:* 543 brokers.

*Estimated Time per Response:* 0.25 hours per day × 240 workdays for transactions per household goods broker; 20 hours per year per broker for Web site/ad modifications; 10 hours per year per household goods broker for creating a list of carriers; 0.5 hours per month × 12 months per household goods broker for confirming required information; 0.083 hour per year × 36.8 explanations on average per household goods broker; 4 hours per year × 5 agreements per household goods broker for annual agreements through turnover; and 10 hours per year per household goods broker for disclosure and records.

*Expiration Date:* July 31, 2017.

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden:* 70,000 hours.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is

necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued under the authority of 49 CFR 1.87 on: August 10, 2017.

**Kelly Regal,**

*Associate Administrator, Office of Research and Information Technology.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2017-0074; Notice No. 1]

#### Addressing Electrode-Induced Rail Pitting From Pressure Electric Welding

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of draft Safety Advisory; request for comment.

**SUMMARY:** This document provides notice of FRA's intent to issue a Safety Advisory alerting railroads, contractors, and the rail welding industry of the potential for electrode-induced rail pitting and fatigue cracking during the pressure electric rail welding process. Based on investigation and research, FRA believes improper electrode contact to the rail during the welding process can result in electrode-induced pitting that may lead to fatigue fracture and ultimately rail failure. The draft Safety Advisory includes recommendations to help the industry prevent electrode-induced rail pitting and to inspect for and then remediate such pitting if it occurs. FRA invites public comment on all aspects of the draft Safety Advisory.

**DATES:** Interested persons are invited to submit comments on the draft Safety Advisory provided below on or before October 16, 2017.

**ADDRESSES:** Comments in response to this notice may be submitted by any of the following methods:

- *Web site:* The Federal eRulemaking Portal, [www.Regulations.gov](http://www.Regulations.gov). Follow the Web site's online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation,