

- b. In the second column, at the end of paragraph (b)(4)(ii)(A)(2), remove the semicolon and add a period in its place;
- c. In the third column, at the end of paragraph (b)(4)(ii)(F)), remove the semicolon and add a period in its place.
- 5. On page 41504—
  - a. In the first column, at the end of paragraph (b)(5)(ii)(C), remove the word “and”;
  - b. In the first column, at the end of paragraph (b)(5)(ii)(D), remove the period and add “; and” in its place;
  - c. In the first column, in line 5 of paragraph (b)(6)(i), remove the word “for” before the word “himself”;
  - d. In the first column, redesignate paragraphs (b)(7)(A)(1) through (3) as paragraphs (b)(7)(ii)(A) through (ii)(C);
  - e. In the second column, in line 6 of paragraph (c)(1)(ii), add the phrase “(such that, for instance, receipt of two benefits in one month counts as two months)” after the phrase “for more than 12 months in the aggregate within any 36-month period”.

#### § 212.23 [Corrected]

- 6. On page 41505, in the second column, at the end of paragraph (a)(19)(ii), remove the period and add a semicolon in its place.

#### § 213.1 [Corrected]

- 7. On page 41506—
  - a. In the first column, in line 7 of paragraph (b), add a reference “(c)(1)” after “212.22”;
  - b. In the first column, in line 14 of paragraph (c), remove the comma between the words “equivalent” and “is”;
  - c. In the first column, in the second sentence of paragraph (d), correct “364month” to read “36-month”; remove the comma after the word “months”; and correct the next to the last sentence in paragraph (d) to read: “An alien on whose behalf a public charge bond has been submitted may not receive any public benefits, as defined in 8 CFR 212.21(b), for more than 12 months in the aggregate within any 36-month period (such that, for instance, receipt of two benefits in one month counts as two months) after the alien’s adjustment of status to that of a lawful permanent resident, until the bond is cancelled in accordance with paragraph (g) of this section.”
- 8. On page 41507, in the first column in paragraph (h)(2)(i), “DHS will not consider any public benefits, as defined in 8 CFR 212.21(b) received by a spouse or child, as defined in section 101(b) of the Act, of an individual who, at the time of receipt of the public benefit(s) by his or her spouse or child, or at the time of filing a request to cancel the

bond by his or her spouse or child, or the cancellation determination, or the breach determination, is enlisted in the U.S. Armed Forces under the authority of 10 U.S.C. 504(b)(1)(B) or 10 U.S.C. 504(b)(2), serving in active duty or in the Ready Reserve component of the U.S. Armed Forces.” is corrected to read “DHS will not consider any public benefits, as defined in 8 CFR 212.21(b) received by a spouse or child, as defined in section 101(b) of the Act, of an individual who, at the time of receipt of the public benefit(s) by his or her spouse or child, or at the time of filing a request to cancel the bond by his or her spouse or child, or the cancellation determination, or the breach determination, is enlisted in the U.S. Armed Forces under the authority of 10 U.S.C. 504(b)(1)(B) or 10 U.S.C. 504(b)(2), or of an individual serving in active duty or in the Ready Reserve component of the U.S. Armed Forces.”

- 9. On page 41507 in the third column before the heading for part 245, add an instruction 11a to read as follows:

#### § 214.2 [Amended]

- 11a. In § 214.2, amend paragraph (h)(20) by removing “8 CFR 248.1(b)” and adding in its place “8 CFR 248.1(c)” at the end of the paragraph.

#### § 248.1 [Corrected]

- 10. On page 41508
  - a. In the second column, in the second sentence of paragraph (a) add the phrase “or that section has been waived” after the words “section 212(a)(4) of the Act”;
  - b. In the third column, in paragraph (c)(4) revise the last sentence to read: “This provision does not apply where the nonimmigrant classification from which the alien seeks to change or to which the alien seeks to change is exempt from section 212(a)(4) of the Act, or where that section has been waived.”

**Kevin K. McAleenan,**

*Acting Secretary of Homeland Security.*

[FR Doc. 2019–21561 Filed 10–1–19; 8:45 am]

**BILLING CODE 9111–97–P**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### 32 CFR Part 637

[Docket ID: USA–2018–HQ–0023]

RIN 0702–AB01

#### Military Police Investigation

**AGENCY:** Department of the Army, DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes DoD’s regulation concerning the management of the misdemeanor criminal investigation program by Department of the Army personnel. This part conveys internal Army policy and procedures, and is unnecessary.

**DATES:** This rule is effective on October 2, 2019.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey Pearce at 703–695–8499.

**SUPPLEMENTARY INFORMATION:** It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing DoD internal policies and procedures that are publicly available on the Department’s website.

DoD internal guidance will continue to be published in Army Regulation 190–30, “Military Police Investigation,” available at <https://armypubs.army.mil/ProductMaps/PubForm/AR.aspx>.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review,” therefore, E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” does not apply.

#### List of Subjects in 32 CFR Part 637

Crime, Investigations, Law enforcement, Law enforcement officers, Military law, Search warrants.

#### PART 637—[REMOVED]

- Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 637 is removed.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 2019–21183 Filed 10–1–19; 8:45 am]

**BILLING CODE 5001–03–P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Parts 2 and 7

[Docket No. PTO–T–2017–0004]

RIN 0651–AD15

#### Changes to the Trademark Rules of Practice To Mandate Electronic Filing

**AGENCY:** Patent and Trademark Office, Commerce.

**ACTION:** Final rule, delay of effective date.

**SUMMARY:** On July 31, 2019, the United States Patent and Trademark Office published in the **Federal Register** a final rule amending the Rules of Practice in

Trademark Cases and the Rules of Practice in Filings Pursuant to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. That final rule had an effective date of October 5, 2019. This action changes the effective date to December 21, 2019.

**DATES:** The effective date of the final rule published on July 31, 2019 (84 FR 37081) is delayed from October 5, 2019 to December 21, 2019.

**FOR FURTHER INFORMATION CONTACT:** Catherine Cain, Office of the Deputy Commissioner for Trademark Examination Policy, [TMFRNotices@uspto.gov](mailto:TMFRNotices@uspto.gov), (571) 272-8946.

**SUPPLEMENTARY INFORMATION:** The United States Patent and Trademark Office (USPTO) published in the **Federal Register** (84 FR 37081, July 31, 2019) a final rule amending the Rules of Practice in Trademark Cases and the Rules of Practice in Filings Pursuant to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks to mandate electronic filing of trademark applications and all submissions associated with trademark applications and registrations, and to require the designation of an email address for receiving USPTO correspondence, with limited exceptions.

The effective date of the rule is being delayed to allow the USPTO additional time to prepare internally for implementation of the requirements associated with the mandate that applicants and registrants electronically file their trademark applications and all submissions associated with trademark applications and registrations, and that they designate an email address for receiving USPTO correspondence. This final rule would also provide the public an opportunity to more fully comprehend the nature of, and prepare to comply with, the new requirements before they are effective.

#### Rulemaking Requirements

*Administrative Procedure Act:* This final rule revises the effective date of a final rule published on July 31, 2019 implementing procedures requiring the electronic filing of Trademark applications, and is a rule of agency practice and procedure, and/or interpretive rules pursuant to 5 U.S.C. 553(b)(A). See *JEM Broad. Co. v. F.C.C.*, 22 F.3d 32. (D.C. Cir. 1994) (“[T]he ‘critical feature’ of the procedural exception [in 5 U.S.C. 553(b)(A)] ‘is that it covers agency actions that do not themselves alter the rights or interests of parties, although [they] may alter the manner in which the parties present

themselves or their viewpoints to the agency.’” (quoting *Batterton v. Marshall*, 648 F.2d 694, 707 (D.C. Cir. 1980)); see also *Bachow Commc’ns Inc. v. F.C.C.*, 237 F.3d 683, 690 (D.C. Cir. 2001) (rules governing an application process are procedural under the Administrative Procedure Act); *Inova Alexandria Hosp. v. Shalala*, 244 F.3d 342, 350 (4th Cir. 2001) (rules for handling appeals were procedural where they did not change the substantive standard for reviewing claims). Accordingly, prior notice and opportunity for public comment are not required pursuant to 5 U.S.C. 553(b) or (c) (or any other law). See *Cooper Techs. Co. v. Dudas*, 536 F.3d 1330, 1336-37 (Fed. Cir. 2008) (stating that 5 U.S.C. 553, and thus 35 U.S.C. 2(b)(2)(B), does not require notice and comment rulemaking for “interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice” (quoting 5 U.S.C. 553(b)(A))).

Moreover, the Director of the USPTO, pursuant to authority at 5 U.S.C. 553(b)(B), finds good cause to adopt the change in this final rule without prior notice and an opportunity for public comment, as such procedures would be impracticable and contrary to the public interest. Immediate implementation of the delay in effective date is in the public interest, because it would allow the USPTO additional time to prepare internally for implementation of the requirements associated with the July 31, 2019 final rule. This final rule would also provide the public an opportunity to more fully comprehend the nature of, and prepare to comply with, the new requirements before they are effective. Delay of this final rule to provide prior notice and comment procedures is impracticable, because it would allow the July 31, 2019 rule to go into effect before the agency is ready to implement the new requirements. Therefore, the Director finds there is good cause to waive notice and comment procedures for this rule.

Finally, the change in this final rule may be made immediately effective, because this is not a substantive rule under 35 U.S.C. 553(d). Moreover, pursuant to 5 U.S.C. 553(d)(1), the Director finds good cause to allow this final rule to be made immediately effective because it would allow the USPTO additional time to prepare internally for implementation of the requirements associated with the July 31, 2019 final rule.

Dated: September 24, 2019.

**Andrei Iancu,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2019-21178 Filed 10-1-19; 8:45 am]

**BILLING CODE 3510-16-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2019-0382; FRL-10000-18-Region 1]

### Air Plan Approval; Rhode Island; Prevention of Significant Deterioration; PM<sub>10</sub>, PM<sub>2.5</sub> and NO<sub>x</sub>

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Rhode Island. This revision establishes the regulation of fine particulate matter (that is, particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, generally referred to as “PM<sub>2.5</sub>”), PM<sub>10</sub> (particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers), and nitrogen oxides (NO<sub>x</sub>) within the context of Rhode Island’s Prevention of Significant Deterioration (PSD) permitting program. The EPA is also approving other minor changes to Rhode Island’s PSD permitting program. In addition, EPA is converting several conditionally approved infrastructure SIP elements to fully approved elements for the 2008 ozone, 2008 lead, 2010 nitrogen dioxide, and 1997 and 2006 PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS). These actions are being taken in accordance with the Clean Air Act.

**DATES:** This rule is effective on November 1, 2019.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R01-OAR-2019-0382. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>