

access to data covered by such agreements in response to qualifying, lawful orders. *See* Clarifying Lawful Overseas Use of Data Act, Public Law 115–141, Div. V, Section 105(a) (March 23, 2018), 18 U.S.C. 2523 (“CLOUD Act”). The first such executive agreement was concluded between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland. *See* Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on Access to Electronic Data for the Purpose of Countering Serious Crime (October 3, 2019), available at <https://www.justice.gov/dag/cloudact> (the “U.S.—U.K. Agreement”). The U.S.—U.K. Agreement provides that a “Designated Authority” for each country shall perform certain, specified functions necessary to implement the agreement. As applied to the United States, “Designated Authority” is defined under the agreement as “the governmental entity designated . . . by the Attorney General.” *Id.* at Article 1.8. To address the requirements of this executive agreement, the Attorney General has designated the Criminal Division as the “Designated Authority” in a **Federal Register** notice published on October 23, 2020. The Attorney General has authorized the Assistant Attorney General in charge of the Criminal Division to perform the functions of the Designated Authority and also to delegate this authority. 28 CFR 0.64–6. This final rule delegates that authority to officials in the Criminal Division and OIA.

To address future agreements of this nature, this final rule applies to any executive agreement under 18 U.S.C. 2523 that either designates the Attorney General or the Department of Justice as the Designated Authority or authorizes the Attorney General to designate a Designated Authority (or like designation), and for which the Attorney General has designated the Criminal Division as such authority.

#### **Administrative Procedure Act—5 U.S.C. 553**

This rule is a rule of agency organization and relates to a matter relating to agency management and is therefore exempt from the requirements of prior notice and comment and a 30-day delay in the effective date. *See* 5 U.S.C. 553(a)(2), 553(b)(3)(A), 553(d).

#### **Regulatory Flexibility Act**

Further, a Regulatory Flexibility Analysis is not required to be prepared

for this final rule because the Department was not required to publish a general notice of proposed rulemaking for this matter. 5 U.S.C. 604(a).

#### **Executive Orders 12866 and 13563—Regulatory Review**

This action has been drafted and reviewed in accordance with section 1(b) of Executive Order 12866, “Regulatory Planning and Review,” and section 1(b) of Executive Order 13563, “Improving Regulation and Regulatory Review.” This rule is limited to agency organization, management, and personnel as described in section 3(d)(3) of Executive Order 12866 and, therefore, is not a “regulation” or “rule” as defined by the order. Accordingly, this action has not been reviewed by the Office of Management and Budget.

#### **Executive Order 13132—Federalism**

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

#### **Executive Order 12988—Civil Justice Reform**

This rule was drafted in accordance with the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

#### **Unfunded Mandates Reform Act of 1995**

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector of \$100,000,000 or more in any one year (adjusted annually for inflation), and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### **Congressional Review Act**

This action pertains to agency management, personnel, and organization and does not substantially affect the rights or obligations of non-agency parties and, accordingly, is not a “rule” as that term is used by the Congressional Review Act, 5 U.S.C. 804(3)(B), (C).

Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

#### **List of Subjects in 28 CFR Part 0**

International agreements, Treaties.

For the reasons stated in the preamble, part 0 of title 28 of the Code of Federal Regulations is amended as follows:

#### **PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE**

■ 1. The authority citation for part 0 continues to read as follows:

**Authority:** 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–519.

■ 2. Add Directive No. 2021–001 at the end of Appendix to Subpart K to read as follows:

#### **Appendix to Subpart K of Part 0**

##### **Criminal Division**

\* \* \* \* \*

##### **Directive No. 2021–001**

##### **Designated Authority under executive agreements on access to data by foreign governments.**

By virtue of the authority vested in me by § 0.64–6 of Title 28 of the Code of Federal Regulations, I hereby delegate the authority to perform the functions of the Designated Authority under executive agreements between the United States of America and other countries regarding access to data by foreign governments, negotiated pursuant to the authority in 18 U.S.C. 2523, to the Deputy Assistant Attorneys General, Criminal Division, and the Director, the Deputy Directors and the Associate Director supervising implementation of such agreements in the Office of International Affairs. This delegation applies to executive agreements that either designate the Attorney General or the Department of Justice as the Designated Authority (or like designation) or authorize the Attorney General to designate a Designated Authority (or like designation), and for which the Attorney General has designated the Criminal Division as such authority.

Dated: October 7, 2021.

**Kenneth A. Polite, Jr.,**  
*Assistant Attorney General.*

[FR Doc. 2021–25455 Filed 11–22–21; 8:45 am]

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#### **LIBRARY OF CONGRESS**

##### **Copyright Royalty Board**

##### **37 CFR Part 381**

[Docket No. 21–CRB–0011–PBR (2018–2022) COLA (2022)]

##### **Cost of Living Adjustment to Public Broadcasters Compulsory License Royalty Rate**

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Final rule; cost of living adjustment.

**SUMMARY:** The Copyright Royalty Judges announce a cost of living adjustment (COLA) to the royalty rate that noncommercial radio stations at certain colleges, universities, and other educational institutions that are not affiliated with National Public Radio must pay for the use in 2022 of published nondramatic musical compositions in the SESAC repertory pursuant to the statutory license under the Copyright Act for noncommercial broadcasting.

**DATES:**

*Effective date:* December 23, 2021.

*Applicability dates:* These rates are applicable to the period beginning January 1, 2022, and ending December 31, 2022.

**FOR FURTHER INFORMATION CONTACT:**

Anita Blaine, (202) 707-7658, [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** Section 118 of the Copyright Act, title 17 of the United States Code, creates a statutory license for the use of published nondramatic musical works and published pictorial, graphic, and sculptural works in connection with noncommercial broadcasting.

On January 19, 2018, the Copyright Royalty Judges (Judges) adopted final regulations governing the rates and terms of copyright royalty payments under section 118 of the Copyright Act for the license period 2018–2022. *See* 83 FR 2743. Pursuant to these regulations, on or before December 1 of each year, the Judges shall publish in the **Federal Register** notice of the change in the cost of living and a revised schedule of the rates codified at § 381.5(c)(3) relating to compositions in the repertory of SESAC. The adjustment, fixed to the nearest dollar, shall be the greater of (1) the change in the cost of living as determined by the Consumer Price Index (all consumers, all items) (“CPI–U”) “during the period from the most recent index published prior to the previous notice to the most recent index published prior to December 1, of that year” or (2) 1.5%. 37 CFR 381.10.

The change in the cost of living as determined by the CPI–U during the period from the most recent index published prior to the previous notice, *i.e.*, before December 1, 2020, to the most recent index published before December 1, 2021, is 6.2%.<sup>1</sup> In accordance with 37 CFR 381.10(b), the

Judges announce that the COLA for calendar year 2022 shall be 6.2%. Application of the 6.2% COLA to the 2021 rate for the performance of published nondramatic musical compositions in the repertory of SESAC—\$164.00 per station—results in an adjusted rate of \$174.00 per station.

**List of Subjects in 37 CFR Part 381**

Copyright, Music, Radio, Television, Rates.

**Final Regulations**

In consideration of the foregoing, the Judges amend part 381 of title 37 of the Code of Federal Regulations as follows:

**PART 381—USE OF CERTAIN COPYRIGHTED WORKS IN CONNECTION WITH NONCOMMERCIAL EDUCATIONAL BROADCASTING**

- 1. The authority citation for part 381 continues to read as follows:

**Authority:** 17 U.S.C. 118, 801(b)(1), and 803.

- 2. Section 381.5 is amended by revising paragraph (c)(3)(v) and removing paragraph (c)(3)(vi) to read as follows:

**§ 381.5 Performance of musical compositions by public broadcasting entities licensed to colleges and universities.**

- \* \* \* \* \*
- (c) \* \* \*
- (3) \* \* \*
- (v) 2022: \$174.00 per station.
- \* \* \* \* \*

Dated: November 17, 2021.

**Steve Ruwe,**

*Copyright Royalty Judge.*

[FR Doc. 2021–25443 Filed 11–22–21; 8:45 am]

**BILLING CODE 1410–72–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 271**

**[EPA–R06–RCRA–2021–0073; FRL–8800–02–R6]**

**Arkansas: Final Authorization of State Hazardous Waste Management Program Revision**

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

**ACTION:** Final action.

**SUMMARY:** On June 11, 2021, the Environmental Protection Agency (EPA) published a proposed rule to approve a revision to the State of Arkansas hazardous waste program under the

Resource Conservation and Recovery Act (RCRA) and provided for a thirty-day public comment period. The public comment period closed on July 12, 2021, and EPA did not receive any comments. EPA confirms that the program revisions to the State of Arkansas hazardous waste program satisfy all requirements needed to qualify for final authorization. No further opportunity for comment will be provided.

**DATES:** This final authorization is effective November 23, 2021.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA–R06–RCRA–2021–0073. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some of the information is not publicly available. *e.g.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Alima Patterson, EPA Region 6 Regional Authorization/Codification Coordinator, RCRA Permit Section (LCR–RP), Land, Chemicals and Redevelopment Division, EPA Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270, phone number: (214) 665–8533, email address: [patterson.alima@epa.gov](mailto:patterson.alima@epa.gov). Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office will be closed to the public to reduce the risk of transmitting COVID–19. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

**SUPPLEMENTARY INFORMATION:**

**A. What changes to Arkansas’ hazardous waste program is EPA authorizing with this action?**

On March 2, 2021, the State of Arkansas submitted a final complete program revision application seeking authorization of its program revision in accordance with 40 CFR 271.21. EPA now makes a final decision that Arkansas’ hazardous waste program revisions satisfy all the requirements necessary to qualify for final authorization. EPA will continue to implement and enforce Hazardous and Solid Waste Amendments of 1984 (HSWA) provisions for which the State is not authorized. For a list of rules that become effective with this final action, please see the proposed rule published

<sup>1</sup> On November 10, 2021, the Bureau of Labor Statistics announced that the CPI–U increased 6.2% over the last 12 months.