

equity in engineering for women and men, and for all racial/ethnic groups and persons with disabilities, can be established starting with the culture of the centers.”

Not only is the wording more in keeping with the principles of inclusion and nondiscrimination, but it is generally illegal for the government to show favoritism or even use classifications based on race, ethnicity, or sex. See *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995) (“all racial classifications . . . must be analyzed by a reviewing court under strict scrutiny”); *Mississippi University for Women v. Hogan*, 458 U.S. 718 (1982) (gender classifications require an “exceedingly persuasive justification”). See also Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d (prohibiting discrimination on the basis of race, color, and national origin in federally funded programs). Indeed, such classifications and favoritism are “presumptively invalid” (see *Personnel Administrator v. Feeney*, 442 U.S. 256 (1979)). The wording we suggest is in line with that used by many other federal agencies in their **Federal Register** notices. See, for example, 76 FR 13422 (DHS), 77 FR 27013 (USDA), 77 FR 24268 (DoTreasury), 75 FR 78705 (HHS), 76 FR 8366 (EPA), 77 FR 15745 (DoEnergy), 77 FR 35063 (DoL), etc.

*Response:* In response to the comment, the Need and Use of Information Collection section was modified to:

The NSF Engineering Research Centers (ERCs) were established in 1985 with one of the goals being the development of a diverse, globally competitive engineering workforce. The ERCs provide information regarding diversity in the Centers through 10-year diversity strategic plans and annual reporting that includes demographic data. However, beyond the numbers, NSF does not have a good understanding of the culture for diversity inside these centers and how it impacts faculty, students and their success. This information will enable NSF to have an unprecedented perspective of the ERC diversity culture. From this knowledge, a benchmark for progress towards creating a path of equity in engineering for women and men, all racial/ethnic groups and persons with disabilities, can be established starting with the culture of the centers. Also, with a better understanding of the diversity efforts and diversity culture within the ERCs, the information will enable us to assess, refine, and improve diversity efforts. We want the ERCs to be inclusive environments for all. This diversity

climate survey will enable us to evaluate how close we are to that goal.

For outside technical expertise, NSF has consulted with the Center for Biorenewable Chemicals (CBiRC) and the Computer Integrated Surgical Systems and Technology (CISST) Engineering Research Centers that have executed similar diversity surveys across their member institutions. These centers had success in developing a survey with content specifically designed to address the experiences unique to ERC personnel. The education, outreach and diversity staff within these specific ERCs have been available for consultation in the developmental process of the survey.

After consideration of this comment, we are moving forward with our submission to OMB.

*Title of Collection:* Engineering Research Center’s Diversity Climate Survey.

*OMB Number:* 3145–NEW.

*Type of Request:* Intent to seek approval to establish an information collection.

#### Abstract

*Proposed Project:* We would like to use Survey Monkey to administer a diversity climate survey to the 17, active NSF Engineering Research Centers. This survey will have a mix of rating and open-ended questions. Our goal is to gain an understanding of the climate of diversity within the ERCs.

*Need and Use of Information Collection:* The NSF ERCs were established in 1985 with one of the goals being the development of a diverse, globally competitive engineering workforce. The ERCs provide information regarding diversity in the Centers through 10-year diversity strategic plans and annual reporting that includes demographic data. However, beyond the numbers, NSF does not have a good understanding of the culture for diversity inside these centers and how it impacts faculty, students and their success. This information will enable NSF to have an unprecedented perspective of ERC diversity culture. From this knowledge, a benchmark for progress towards creating a path of equity in engineering for women, and especially for racial/ethnic minorities and persons with disabilities can be established starting with the culture of the centers. Also, with a better understanding of the diversity efforts and diversity culture within the ERCs, the information will enable us to assess, refine, and improve diversity efforts. We want the ERCs to be inclusive environments for all. This diversity

climate survey will enable us to evaluate how close we are to that goal.

*Estimate of the Burden:* This survey will have 1,418 respondents and should take no more than 30 minutes to complete. This yields a burden time of 709 hours.

*Respondents:* Individuals; not-for-profit institutions

*Estimated Number of Responses per Survey:* One

Dated: September 25, 2013.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

[FR Doc. 2013–23769 Filed 9–27–13; 8:45 am]

**BILLING CODE 7555–01–P**

---

## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95–541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Adrian Dahood, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On August 22, 2013 the National Science Foundation published a notice in the **Federal Register** of a permit application received. The permit was issued on September 25, 2013 to: Jennifer Martin, Permit No. 2014–008.

**Nadene G. Kennedy,**

*Polar Coordination Specialist, Division of Polar Programs.*

[FR Doc. 2013–23718 Filed 9–27–13; 8:45 am]

**BILLING CODE 7555–01–P**

---

## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC–2013–0108]

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of the Office of Budget and Management (OMB) review of