

Respondents include adults (age 18+) who reside in the United States, recruited by survey companies that maintain large panels of people who sign up to complete internet surveys, such as Qualtrics and Survey Sampling International. Respondents will be asked questions about the ways they have received, interpreted, and responded to NWS information, forecasts, and warnings for severe, tropical, and winter weather hazards. Questions about preparedness for specific hazards such as heat waves, tornadoes, and drought may also be included. This data collection serves many purposes, including gaining a better understanding of how key factors within a given population, or organization, vary over time, location, and across different groups; the ability to detect gradual trends or abrupt changes in those factors over time or in response to particular events; and the potential to explore possible correlations and causal relationships with other observed variables of interest. These data will be used by the OSTI in NWS to develop a baseline and performance metrics to improve the information and services it provides and to help members of the weather enterprise answer basic questions about the people in the communities they serve, which is a necessary step towards customizing and improving risk communication, education, and decision support to meet the characteristics of the community, including those in vulnerable populations. The information collected will help identify differences and best practices between communities and assist NWS in developing new education and risk communication strategies. The survey data and its associated dashboard will serve as interactive tools to allow NWS forecasters, partners, and policymakers to access and explore data for training and performance evaluation purposes.

The second proposed collection is sponsored through NOAA's FY2021 Weather Program Office's Social Science Program, and addresses the Social, Behavioral, and Economic Sciences (SBES) component of meeting NOAA's Research and Development (R&D) Vision Areas (2020–2026) to integrate SBES into products, tools, and services that improve weather and air quality forecasting and societal outcomes.

This proposal aims to create an online survey system for collecting data on the public's perception and response to four different hazards: Tornadoes, thunderstorm winds over 70 miles per hour (mph), flash floods, and winter weather. The online surveys will be the

building blocks for a multi-year, cross-sectional database on human perception and response. The survey system will enable individual National Weather Service Weather Forecast Offices (WFOs) to disseminate Quick Response Surveys (QRS) soon after a hazardous event occurs to collect perishable data on the public's perceptions and response. Select WFOs will distribute the QRSs using web links on NWS social media and core partners' social media or email lists. Surveys will ask the public questions on timing, location, weather information sources, motivations and influences for taking protective action to gain insights into how NWS warning communications interact with these factors to result in protective action behaviors.

## II. Method of Collection

For the first collection, the primary method of data collection will be a web-based survey interface. Specific questions in the surveys determine how members of the U.S. public receive, comprehend, and respond to severe, tropical, and winter weather related information. Furthermore, these survey items will be translated to Spanish.

The second collection will include online surveys to be implemented and aggregated using Qualtrics survey software. The surveys will be displayed on a desktop, tablet or mobile device allowing the public to take the survey whenever they have internet access. Select WFOs will distribute the QRSs using web links on NWS social media and core partners' social media or email lists.

## III. Data

*OMB Control Number:* 0648–XXXX.

*Form Number(s):* None.

*Type of Review:* Regular (New information collection).

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 101,000.

*Estimated Time per Response:* Response time varies depending on the survey instrument, but the typical response time is between 10 and 20 minutes.

*Estimated Total Annual Burden Hours:* 7,667.

*Estimated Total Annual Cost to Public:* None.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* 15 U.S.C. Ch. 111, Weather Research and Forecasting Information.

## IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a)

Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

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**BILLING CODE 3510–KE–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XB344]

### 2022 Annual Determination To Implement the Sea Turtle Observer Requirement

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notification of Annual Determination of fisheries.

**SUMMARY:** National Marine Fisheries Service (NMFS) is providing notification that the agency will not identify additional fisheries to observe on the 2022 Annual Determination (AD), pursuant to its authority under the Endangered Species Act (ESA). Through the AD, NMFS identifies U.S. fisheries operating in the Atlantic Ocean, Gulf of Mexico, and Pacific Ocean that will be required to take observers upon NMFS'

request. The purpose of observing identified fisheries is to learn more about sea turtle bycatch in a given fishery, evaluate measures to prevent or reduce sea turtle bycatch, and implement the prohibition against sea turtle takes. Fisheries identified on the 2018 and 2020 ADs (see Table 1) remain on the AD for a 5-year period and are required to carry observers upon NMFS' request until December 31, 2022, and September 29, 2025, respectively.

**ADDRESSES:** Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:**

Jaclyn Taylor, Office of Protected Resources, 301-427-8402; Ellen Keane, Greater Atlantic Region, 978-282-8476; Dennis Klemm, Southeast Region, 727-824-5312; Dan Lawson, West Coast Region, 206-526-4740; Irene Kelly, Pacific Islands Region, 808-725-5141. Individuals who use a telecommunications device for the hearing impaired may call the Federal Information Relay Service at 800-877-8339 between 8 a.m. and 4 p.m. Eastern time, Monday through Friday, excluding Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Purpose of the Sea Turtle Observer Requirement**

Under the ESA, 16 U.S.C. 1531 *et seq.*, NMFS has the responsibility to implement programs to conserve marine life listed as endangered or threatened. All sea turtles found in U.S. waters are listed as either endangered or threatened under the ESA. Kemp's ridley (*Lepidochelys kempii*), loggerhead (*Caretta caretta*; North Pacific distinct population segment), leatherback (*Dermochelys coriacea*), green (*Chelonia mydas*; Central West Pacific and Central South Pacific distinct population segments), and hawksbill (*Eretmochelys imbricata*) sea turtles are listed as endangered. Loggerhead (Northwest Atlantic Ocean distinct population segment), green (North Atlantic, South Atlantic, Central North Pacific, and East Pacific distinct population segments), and olive ridley (*Lepidochelys olivacea*) sea turtles are listed as threatened, except for breeding colony populations of olive ridleys on the Pacific coast of Mexico, which are listed as endangered. Due to the inability to distinguish between populations of olive ridley turtles away from the nesting beach, NMFS considers these turtles endangered when encountered in the marine environment. While some sea turtle populations have

shown signs of recovery, many populations continue to decline.

Bycatch in fishing gear is the primary anthropogenic source of sea turtle injury and mortality in U.S. waters. Section 9 of the ESA prohibits the take (defined to include harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting or attempting to engage in any such conduct), including incidental take, of endangered sea turtles. Pursuant to section 4(d) of the ESA, NMFS has issued regulations extending the prohibition of take, with exceptions, to threatened sea turtles (50 CFR 223.205 and 223.206). Section 11 of the ESA provides for civil and criminal penalties for anyone who violates the ESA or a regulation issued to implement the ESA. NMFS may grant exceptions to the take prohibitions with an incidental take statement or an incidental take permit issued pursuant to ESA section 7 or 10, respectively. To do so, NMFS must determine that the activity that will result in incidental take is not likely to jeopardize the continued existence of the affected listed species. For some Federal fisheries and most state fisheries, NMFS has not granted an exception for incidental takes of sea turtles primarily because we lack information about fishery-sea turtle interactions.

For most fisheries, the most effective way for NMFS to learn more about bycatch in order to implement the take prohibitions and prevent or minimize take is to place observers aboard fishing vessels. In 2007, NMFS issued a regulation (50 CFR 222.402) establishing procedures to annually identify, pursuant to specified criteria and after notice and opportunity for comment, those fisheries in which the agency intends to place observers (72 FR 43176; August 3, 2007). These regulations specify that NMFS may place observers on U.S. fishing vessels, commercial or recreational, operating in U.S. territorial waters, the U.S. exclusive economic zone, or on the high seas, or on vessels that are otherwise subject to the jurisdiction of the U.S. Failure to comply with the requirements under this regulation may result in civil or criminal penalties under the ESA.

NMFS will pay the direct costs for vessels to carry the required observers. These include observer salary and insurance costs. NMFS may also evaluate other potential direct costs, should they arise. Once selected, a fishery will be required to carry observers, if requested, for a period of five years without further action by NMFS. This will enable NMFS to develop appropriate observer coverage

and sampling protocols to investigate whether, how, when, where, and under what conditions sea turtle bycatch is occurring and to evaluate whether existing measures are minimizing or preventing bycatch.

**2022 Annual Determination**

Pursuant to 50 CFR 222.402(a), NOAA's Assistant Administrator for Fisheries, in consultation with Regional Administrators and Fisheries Science Center Directors, annually identifies fisheries for inclusion on the AD based on the extent to which:

- (1) The fishery operates in the same waters and at the same time as sea turtles are present;
- (2) The fishery operates at the same time or prior to elevated sea turtle strandings; or
- (3) The fishery uses a gear or technique that is known or likely to result in incidental take of sea turtles based on documented or reported takes in the same or similar fisheries; and
- (4) NMFS intends to monitor the fishery and anticipates that it will have the funds to do so.

NMFS is providing notification that the agency is not identifying additional fisheries to observe on the 2022 AD, pursuant to its authority under the ESA. NMFS is not identifying additional fisheries at this time given lack of dedicated resources to implement new observer programs or expand existing observer programs to focus on sea turtles. The two fisheries identified on the 2018 AD (see Table 1) will remain on the AD for a 5-year period and are required to carry observers upon NMFS' request until December 31, 2022. The four fisheries identified on the 2020 AD (see Table 1) will remain on the AD for a 5-year period and are required to carry observers upon NMFS' request until September 29, 2025.

**TABLE 1—STATE AND FEDERAL COMMERCIAL FISHERIES INCLUDED ON THE 2018 AND 2020 ANNUAL DETERMINATIONS**

Fishery	Years eligible to carry observers
<b>Trawl Fisheries</b>	
Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl .....	2020–2025
Gulf of Mexico mixed species fish trawl .....	2020–2025
<b>Gillnet Fisheries</b>	
Mid-Atlantic gillnet .....	2018–2022
Chesapeake Bay inshore gillnet .....	2020–2025
Long Island inshore gillnet .....	2020–2025

TABLE 1—STATE AND FEDERAL COMMERCIAL FISHERIES INCLUDED ON THE 2018 AND 2020 ANNUAL DETERMINATIONS—Continued

Fishery	Years eligible to carry observers
<b>Pound Net/Weir/Seine Fisheries</b>	
Gulf of Mexico menhaden purse seine	2018–2022

Dated: September 17, 2021.

**Kimberly Damon-Randall,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 2021–20522 Filed 9–21–21; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO–P–2021–0005]

#### Administrative Updates to the General Requirements Bulletin for Admission to the Examination for Registration To Practice in Patent Cases Before the United States Patent and Trademark Office

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO or Office) previously published a notice requesting comments on the implementation of certain administrative updates to the General Requirements Bulletin for Admission to the Examination for Registration to Practice in Patent Cases Before the United States Patent and Trademark Office (GRB). The USPTO has considered the comments and, based on the support for the proposals, is implementing the updates to the GRB. There are three categories of technical and scientific qualifications that may typically make applicants eligible to sit for the registration examination: Category A for specified bachelor's degrees, Category B for other bachelor's degrees with technical and scientific training, and Category C for practical engineering or scientific experience, which may be demonstrated by passing the Fundamentals of Engineering test. Based on the USPTO's evaluation and comments received, the USPTO is changing the criteria to: Add common Category B degrees to Category A, accept advanced degrees (*i.e.*, master's and doctor of philosophy degrees) under

Category A, and accept a combination of core sciences under Category B, Options 2 and 4, so long as one of the core science courses has a lab component.

**DATES:** The revised GRB incorporating the proposed updates will be published and applicable as of September 22, 2021.

**FOR FURTHER INFORMATION CONTACT:** Will Covey, Director of the Office of Enrollment and Discipline, by telephone at 571–272–4097 or by email at [oed@uspto.gov](mailto:oed@uspto.gov).

#### SUPPLEMENTARY INFORMATION:

##### Summary

On March 23, 2021, the Office published a request for comments on three proposals to change the criteria for sitting for the registration examination: (1) Adding common Category B degrees to Category A, (2) accepting advanced degrees (*i.e.*, master's and doctor of philosophy degrees) under Category A, and (3) accepting a combination of core sciences under Category B, Options 2 and 4, so long as one of the core science courses has a lab component. The Office received 32 comments in response to this request for comments as of May 24, 2021 (the closing date for comments). An overwhelming majority of the comments were supportive of the suggested changes.

This notice provides information relating to the implementation of the three proposals.

##### Background

The Director of the USPTO is given statutory authority to require a showing by patent practitioners that they possess “the necessary qualifications to render applicants or other persons valuable service, advice, and assistance in the presentation or prosecution of their applications or other business before the Office.” 35 U.S.C. 2(b)(2)(D). The courts have determined that the USPTO Director bears the primary responsibility for protecting the public from unqualified practitioners.

Pursuant to that responsibility, USPTO regulations provide that registration to practice in patent matters before the USPTO requires a practitioner to, *inter alia*, demonstrate possession of scientific and technical qualifications.<sup>1</sup> The role of patent practitioners with scientific and technical backgrounds in providing full and clear patent specifications and

claims has long been acknowledged. The USPTO publishes the GRB, which sets forth guidance for establishing possession of scientific and technical qualifications. The GRB is available at [www.uspto.gov/sites/default/files/documents/OED\\_GRB.pdf](http://www.uspto.gov/sites/default/files/documents/OED_GRB.pdf).

The GRB lists three categories of scientific and technical qualifications that typically make one eligible for admission to the registration examination: (1) Category A for specified bachelor's degrees, (2) Category B for other bachelor's degrees with technical and scientific training, and (3) Category C for individuals who rely on practical engineering or scientific experience by demonstrating that they have passed the Fundamentals of Engineering test. If a candidate for registration does not qualify under any of the categories listed in the GRB, the USPTO will conduct an independent review for compliance with the scientific and technical qualifications pursuant to 37 CFR 11.7(a)(2)(ii).

The USPTO has evaluated, and continues to evaluate, the list of typically qualifying training set forth in the GRB. These evaluations seek to clarify guidance on what will satisfy the scientific and technical qualifications and to identify possible areas of improved administrative efficiency. To that end, the USPTO published a notice requesting comments on three proposed updates to the GRB: (1) Adding common Category B degrees to Category A, (2) accepting advanced degrees (*i.e.*, master's and doctor of philosophy degrees) under Category A, and (3) accepting a combination of core sciences under Category B, Options 2 and 4, so long as one of the core science courses has a lab component. See “Request for Comments on Administrative Updates to the General Requirements Bulletin for Admission to the Examination for Registration to Practice in Patent Cases Before the United States Patent and Trademark Office,” 86 FR 15467 (March 23, 2021).

The USPTO received 32 comments from intellectual property organizations, universities, industry, a law firm, individual patent practitioners, and the general public. The USPTO acknowledges and appreciates the many comments that were submitted from the intellectual property community. The comments are available at: [www.regulations.gov/document/PTO-P-2021-0005-0001/comment](http://www.regulations.gov/document/PTO-P-2021-0005-0001/comment). The USPTO has considered the comments, including those that raised concerns or provided suggestions. The USPTO is implementing the proposals as stated in the request for comments, and as explained below. Additional

<sup>1</sup> Legal representation before Federal agencies is generally governed by the provisions of 5 U.S.C. 500. That statute, however, provides a specific exception for representation in patent matters before the USPTO. 5 U.S.C. 500(e). See 35 U.S.C. 2(b)(2)(D) [formerly 35 U.S.C. 31].