

**DEPARTMENT OF COMMERCE**

[RTID 0648–XB398]

**Review and Comment of National Oceanic and Atmospheric Administration Tribal Consultation Policy and Procedures**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; request for information.

**SUMMARY:** On January 26, 2021, the White House issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships that reaffirmed Executive Order 13175 on Consultation and Coordination with Indian Tribal Governments (2000) and the associated Presidential Memorandum on Tribal Consultation released in November 2009. In response, NOAA is requesting review of its policy and procedures to implement these directives. NOAA is seeking comment from federally recognized Indian Tribes and other interested parties on its policies and guidance documents for government-to-government consultation with federally recognized Indian Tribes.

**DATES:** Federally recognized Indian Tribes and interested persons are invited to submit comments by January 24, 2022.

**ADDRESSES:** Responses should be submitted via email to [heather.sagar@noaa.gov](mailto:heather.sagar@noaa.gov). Include “NOAA Tribal Consultation Policy” in the subject line of the message.

**Instructions:** Response to this request for information (RFI) is voluntary. Email attachments will be accepted in plain text, Microsoft Word, or Adobe PDF formats only. Each individual or institution is requested to submit only one response. NOAA may post responses to this RFI, without change, on a Federal website. It is, therefore, requested that no business proprietary information, copyrighted information, or personally identifiable information be submitted in response to this RFI. Please note that the U.S. Government will not pay for response preparation, or for the use of any information contained in the response.

**FOR FURTHER INFORMATION CONTACT:** Heather Sagar, [heather.sagar@noaa.gov](mailto:heather.sagar@noaa.gov), (301) 427–8019.

**SUPPLEMENTARY INFORMATION:** On January 26, 2021, the White House issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships. The Memorandum requires the Secretary of Commerce to submit to the Director of

the Office of Management and Budget (OMB), a detailed plan of actions the agency will take to implement the policies and directives of Executive Order (E.O.) 13175 (2000) and the Presidential Memorandum on Tribal Consultation issued in November 2009. This request for information will inform NOAA’s contributions to the Department of Commerce (DOC) plan.

NOAA’s mission is to understand and predict changes in climate, weather, oceans, and coasts, to share that knowledge and information with others, and to conserve and manage coastal and marine ecosystems and resources. NOAA has established policies and guidance to provide for meaningful and timely input from federally recognized Indian Tribes into NOAA’s decision-making process on policy matters that have tribal implications. In addition, NOAA offers its employees training and other guidance to support a consistent, effective, and proactive approach to conducting government-to-government consultations with federally recognized Indian Tribes under E.O. 13175, the DOC Department Administrative Order 218–8 *Consultation and Coordination with Indian Tribal Governments (2014)*, and the DOC Tribal Consultation and Coordination Policy (78 FR 33331; June 4, 2013).

While much of NOAA’s existing policy and guidance has been developed in consultation with federally recognized Indian Tribes, NOAA recognizes that these documents could benefit from a review and update. As part of its effort to implement the January 26, 2021 Presidential Memorandum, NOAA is requesting comments from Tribal Nations, Tribal officials, members of the public, and other interested parties to help identify appropriate updates or revisions to the following existing NOAA policies and guidance documents, which facilitate NOAA’s implementation of E.O. 13175: (1) Tribal Consultation Handbook titled *NOAA Procedures for Government-to-Government Consultation With Federally Recognized Indian Tribes and Alaska Native Corporations (2013)*; (2) NOAA Administrative Order 218–8 titled *Policy on Government-to-Government Consultation with Federally Recognized Indian Tribes and Alaska Native Corporations (Reaffirmed in 2018)*; and (3) a traditional ecological knowledge (TEK) guidance currently titled *NOAA Fisheries and National Ocean Service Guidance and Best Practices for Engaging and Incorporating Traditional Ecological Knowledge in Decision-Making (2019)*. NOAA proposes revisions to its Tribal Consultation Handbook to reflect

lessons learned and improved practices to better facilitate meaningful and effective tribal consultations. NOAA also proposes minor revisions to Administrative Order 218–8 to reflect necessary updates since its issuance in 2014. We are also seeking comments on the existing TEK Guidance, which has not been previously made available for public comment. Though the TEK Guidance is only currently implemented by NOAA Fisheries and the National Ocean Service, NOAA is now extending the applicability of the TEK Guidance to all NOAA Offices. NOAA is interested in whether updates or revisions are appropriate for this TEK Guidance, including terminology. Updates or revisions to NOAA’s Tribal Consultation Handbook, Administrative Order, and TEK Guidance will be informed by the input we receive from federally recognized Indian Tribes, the public, and other interested parties.

In addition, NOAA plans to hold two consultation webinars with federally recognized Indian Tribes on these policies and guidance documents on January 10 and January 11, 2022.

All three documents and additional information about the webinars can be found at this NOAA website: <https://www.noaa.gov/legislative-and-intergovernmental-affairs/noaa-tribal-resources-updates>.

Dated: November 17, 2021.

**Richard W. Spinrad,**

*Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator.*

[FR Doc. 2021–25629 Filed 11–23–21; 8:45 am]

**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[RTID 0648–XB610]

**Marine Mammals; File No. 25885**

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Peter Thielen, D. Eng., Johns Hopkins University, Applied Physics Laboratory, 11100 Johns Hopkins Rd., Laurel, MD 20723 has applied in due form for a permit to import, export, and receive marine mammal parts for scientific research.

**DATES:** Written, telefaxed, or email comments must be received on or before December 27, 2021.

**ADDRESSES:** The application and related documents are available for review by selecting “Records Open for Public Comment” from the “Features” box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 25885 from the list of available applications. These documents are also available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 25885 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Shasta McClenahan, Ph.D. or Jennifer Skidmore, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant proposes to import, export, and receive marine mammal parts for scientific research to develop advanced genomic characterization capability for detection of marine mammal species using environmental DNA. Unlimited parts or cell lines from up to 224 individual cetaceans and 106 individual pinnipeds, excluding walrus, may be obtained in year one, and parts or cell lines from up to 40 individual cetaceans and pinnipeds, excluding walrus, may be obtained annually in years two through five of the project. The requested duration of the permit is five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**,

NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: November 19, 2021.

**Amy Sloan,**

*Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2021-25718 Filed 11-23-21; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF EDUCATION

[Docket No.: ED-2021-SCC-0139]

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Eligibility of Students at Institutions of Higher Education for Funds Under the CARES Act

**AGENCY:** Office of Postsecondary Education (OPE), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension without change of a currently approved collection.

**DATES:** Interested persons are invited to submit comments on or before December 27, 2021.

**ADDRESSES:** Written comments and recommendations for proposed information collection requests should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this information collection request by selecting “Department of Education” under “Currently Under Review,” then check “Only Show ICR for Public Comment” checkbox. Comments may also be sent to [ICDocketmgr@ed.gov](mailto:ICDocketmgr@ed.gov).

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Karen Epps, (202) 377-4851.

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public’s reporting burden. It also helps the public understand the Department’s information collection

requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Eligibility of Students at Institutions of Higher Education for Funds under the CARES Act.

*OMB Control Number:* 1840-0857.

*Type of Review:* Extension without change of a currently approved collection.

*Respondents/Affected Public:* State, Local, and Tribal Governments; Private Sector; Individual or Households.

*Total Estimated Number of Annual Responses:* 16,016,491.

*Total Estimated Number of Annual Burden Hours:* 1,306,588.

*Abstract:* The U.S. Department of Education is requesting clearance of this extension information collection request to allow for outreach to institutions of higher education to meet the requirements of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136 (March 27, 2020). This will help to ensure that the distribution of the CARES Act funds is managed by institutions in accordance with the clarification discussed in the Final Rule. This information collection was previously approved as an emergency by the Office of Management and Budget (OMB) on May 11, 2021; this extension to the collection has no change to the current form.

Dated: November 18, 2021.

**Kate Mullan,**

*PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.*

[FR Doc. 2021-25607 Filed 11-23-21; 8:45 am]

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