

which NIST plans to use the CEs are covered by the DOE CEs.

## V. Conclusion

This notice documents adoption of the DOE CEs listed above in accordance with 42 U.S.C. 4336c(4), and they are available for use by NIST, effective immediately.

**Alicia Chambers,**

*NIST Executive Secretariat.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; National Environmental Policy Act (NEPA) Disclosure Statement

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice of information collection, request for comment.

**SUMMARY:** The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before November 20, 2023.

**ADDRESSES:** Interested persons are invited to submit written comments by mail to Maureen O'Reilly, Management Analyst, at [PRAcomments@doc.gov](mailto:PRAcomments@doc.gov). Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or specific questions related to collection activities should be directed to Cierra Bean, Business Operations Analyst, CHIPS Program Office, [askchips@chips.gov](mailto:askchips@chips.gov) or (202) 815-2677.

#### SUPPLEMENTARY INFORMATION:

### I. Abstract

The National Environmental Policy Act (NEPA) requires Federal agencies to

interpret and administer Federal policies, regulations, and laws in accordance with NEPA's policies and to consider environmental values in their decision making, including through preparation of environmental review documents such as environmental impact statements and environmental assessments. On June 3, 2023, President Biden signed the Fiscal Responsibility Act of 2023 (FRA) into law, which included amendments to NEPA. Specifically, the FRA added section 107, which addresses, in part, timely preparation of environmental review documents. Section 107(f) of NEPA requires agencies to "prescribe procedures to allow a project sponsor to prepare an environmental assessment or an environmental impact statement under the supervision of the agency." 42 U.S.C. 4336a(f).

Additionally, the NEPA implementing regulations state, "Contractors or applicants preparing environmental assessments or environmental impact statements shall submit a disclosure statement to the lead agency that specifies any financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information." 40 CFR 1506.5. As part of its procedures, NIST has therefore developed a NEPA disclosure statement for project sponsors to use in conjunction with preparation of environmental review documents under the agency's supervision. This statement may be used by in a variety of contexts at NIST. NIST may request recipients of funds for extramural construction to prepare environmental review documents and to submit the NEPA disclosure statement.

This statement may also be used by the CHIPS Incentives Program. The CHIPS Incentives Program is authorized by Title XCIX—Creating Helpful Incentives to Produce Semiconductors for America of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116-283, referred to as the CHIPS Act or Act), as amended by the CHIPS Act of 2022 (Division A of Pub. L. 117-167). The CHIPS Incentives Program is administered by the CHIPS Program Office (CPO) within the National Institute of Standards and Technology (NIST) of the United States Department of Commerce (Department). CPO may request recipients of CHIPS incentives prepare environmental review documents and submit the NEPA disclosure statement.

## II. Method of Collection

Information will be collected electronically.

## III. Data

*OMB Control Number:* 0693-XXXX.

*Form Number(s):* None.

*Type of Review:* Regular submission—new information collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 20.

*Estimated Time per Response:* 15 minutes.

*Estimated Total Annual Burden Hours:* 5 hours.

*Estimated Total Annual Cost to Public:* 0.

*Respondent's Obligation:* Mandatory to obtain benefits.

*Legal Authority:* 42 U.S.C. 4336a(f), 40 CFR 1506.5 and 1507.3.

## 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 Under Secretary for Economic Affairs, Commerce Department.*

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