

Friday, October 28, 2016 from 9:00 a.m. until 12:00 p.m. Eastern Time.

**ADDRESSES:** The meeting will be held in the West Square, Administration Building, at the National Institute of Standards Technology (NIST), 100, Bureau Drive, Gaithersburg, Maryland 20899. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Matthew Scholl, Information Technology Laboratory, NIST, 100 Bureau Drive, Stop 8930, Gaithersburg, MD 20899-8930, telephone: (301) 975-2941, Email address: [mscholl@nist.gov](mailto:mscholl@nist.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, October 26, 2016, from 9:00 a.m. until 5:00 p.m., Eastern Time, Thursday, October 27, 2016, from 9:00 a.m. until 5:00 p.m., Eastern Time, and Friday, October 28, 2016 from 8:00 a.m. until 12:00 p.m. Eastern Time. All sessions will be open to the public. The ISPAB is authorized by 15 U.S.C. 278g-4, as amended, and advises the National Institute of Standards and Technology (NIST), the Secretary of Homeland Security, and the Director of the Office of Management and Budget (OMB) on information security and privacy issues pertaining to Federal government information systems, including thorough review of proposed standards and guidelines developed by NIST. Details regarding the ISPAB's activities are available at <http://csrc.nist.gov/groups/SMA/ispab/index.html>.

The agenda is expected to include the following items:

- Presentation on Modernizing Outdated and Vulnerable Equipment and Information Technology Act of 2016, S.3263, 114th Cong. or the MoveIT Act,
- Updates on OMB Circular A-130, Managing Information as a Strategic Resources,
- Updates on the President's Cybersecurity National Action Plan (CNAP),
- Presentation on the Cybersecurity Framework and the Government,
- Panel discussion on Information Sharing, Information Sharing and Analysis Organizations (ISAOs), and Continuous Diagnostics and Mitigation,
- Presentation on US Department of Homeland Security's Mobility Study,
- Panel discussion/presentation on National Telecommunications and

- Information Administration (NTIA) Internet of Things (IoT) report,
- Presentation/Discussion on Regulators Task Force,
- Updates on National Cyber Incident Response Planning, and
- Updates on NIST Computer Security Division.

Note that agenda items may change without notice. The final agenda will be posted on the Web site indicated above. Seating will be available for the public and media. Pre-registration is required to attend this meeting.

All visitors to the NIST site are required to pre-register to be admitted. Please submit your name, email address and phone number to Isabel Van Wyk by 5:00 p.m. Eastern Time, Tuesday, October 25, 2016. Non-U.S. citizens must also submit their country of citizenship, title, employer/sponsor, and address by 5:00 p.m. Eastern Time, Tuesday, October 18, 2016. Isabel Van Wyk's email address is [isabel.vanwyk@nist.gov](mailto:isabel.vanwyk@nist.gov) and her telephone number is 301-975-8371.

Also, please note that federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if such license or identification card is issued by a state that is compliant with the REAL ID Act of 2005 (Pub. L. 109-13), or by a state that has an extension for REAL ID compliance. NIST currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Isabel Van Wyk at 301-975-8371 or visit: [http://www.nist.gov/public\\_affairs/visitor/](http://www.nist.gov/public_affairs/visitor/).

**Public Participation:** The ISPAB agenda will include a period of time, not to exceed thirty minutes, for oral comments from the public (Friday, October 28, 2016, between 10:00 a.m. and 10:30 a.m.). Speakers will be selected on a first-come, first served basis. Each speaker will be limited to five minutes. Questions from the public will not be considered during this period. Members of the public who are interested in speaking are requested to contact Matthew Scholl at the contact information indicated in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements. In addition, written statements are invited and may be submitted to the ISPAB at any time. All written statements should

be directed to the ISPAB Secretariat, Information Technology Laboratory, 100 Bureau Drive, Stop 8930, National Institute of Standards and Technology, Gaithersburg, MD 20899-8930.

**Kevin Kimball,**  
*NIST Chief of Staff.*

[FR Doc. 2016-23338 Filed 9-27-16; 8:45 am]

**BILLING CODE 3510-13-P**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XE905**

#### Taking and Importing of Marine Mammals and Dolphin-Safe Tuna Products

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

**ACTION:** Notice; determination of regular and significant mortality and serious injury of dolphins.

**SUMMARY:** The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) has issued a determination, under the Dolphin Protection Consumer Information Act (DPCIA), of regular and significant mortality and serious injury of dolphins in gillnet fisheries harvesting tuna by vessels flagged under the Governments of India, Iran, Mozambique, Pakistan, Oman, Saudi Arabia, Sri Lanka, Tanzania, the United Arab Emirates, and Yemen. This determination triggers additional documentation requirements for tuna product from those fisheries that is exported from or offered for sale in the United States, including that such tuna must be accompanied by a written statement executed by an observer participating in a national or international program acceptable to the Assistant Administrator, in addition to such statement by the captain of the vessel, that certifies that no dolphins were killed or seriously injured in the sets or other gear deployments in which the tuna were caught and certain other required information regarding dolphin interactions and segregation of tuna. These determinations were based on review of scientific information and, when available, documentary evidence submitted by the relevant government.

**DATES:** Effective November 28, 2016, except the new requirements for observer statements that will be effective upon announcement in the **Federal Register** of approval by the

Office of Management and Budget under the Paperwork Reduction Act.

**FOR FURTHER INFORMATION CONTACT:**

Nina M. Young, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. Phone: 301-427-8383 Email: [Nina.Young@noaa.gov](mailto:Nina.Young@noaa.gov). More information on this final action can be found on the NMFS Web site at <http://www.nmfs.noaa.gov/ia/>.

**SUPPLEMENTARY INFORMATION:** The DPCIA, 16 U.S.C. 1385 *et seq.*, states that it is a violation of section 5 of the Federal Trade Commission Act (15 U.S.C. 45) for any producer, importer, exporter, distributor, or seller of any tuna product that is exported from or offered for sale in the United States to include on the label of that product the term “dolphin safe” or any other term or symbol that falsely claims or suggests that the tuna contained in the product were harvested using a method of fishing that is not harmful to dolphins if the product does not meet the dolphin safe requirements set out in the statute and elaborated in the NMFS implementing regulations.

50 CFR 216.91 provides that tuna product prepared from tuna harvested by purse seine vessels of more than 400 short tons carrying capacity in the eastern tropical Pacific Ocean (ETP) and labeled “dolphin safe” is required to be accompanied by both a captain and an observer statement that the tuna meets the “dolphin safe” criteria under the DPCIA. Tuna product prepared from tuna harvested in other fisheries and labeled “dolphin safe” is required to be accompanied by a captain’s statement that the tuna meets the “dolphin safe” criteria and may require an observer statement if additional requirements are triggered.

In addition, under 50 CFR 216.91, tuna product labeled “dolphin safe” that was prepared from tuna caught in a fishery “in which the Assistant Administrator has determined that either a regular and significant association between dolphins and tuna (similar to the association between dolphins and tuna in the ETP) or a regular and significant mortality or serious injury of dolphins is occurring” must be accompanied by “a written statement, executed by the captain of the vessel and an observer participating in a national or international program acceptable to the Assistant Administrator, unless the Assistant Administrator determines an observer statement is unnecessary.” The captain and observer statements must certify that: No fishing gear was intentionally deployed on or used to encircle

dolphins during the trip on which the tuna were caught; no dolphins were killed or seriously injured in the sets or other gear deployments in which the tuna were caught; and if non-dolphin-safe tuna was retained on the same fishing trip; and (C) tuna caught in sets designated as dolphin-safe was stored physically separate from tuna caught in a non-dolphin-safe set by the use of netting, other material, or separate storage areas from the time of capture through unloading.

50 CFR 216.91 provides that, for tuna product prepared from tuna harvested in other than the ETP large purse seine fishery and labeled “dolphin safe,” U.S. processors and importers of record must collect and retain for 2 years information on each point in the chain of custody regarding the shipment of the tuna or tuna product to the point of entry into U.S. commerce. The retained information must be provided to NMFS upon request and must be sufficient for NMFS to conduct a trace back to verify that the tuna product certified as dolphin-safe to NMFS, in fact, meets the dolphin-safe requirements for such certification.

In addition, under 50 CFR 216.91, tuna product prepared from tuna harvested in fisheries in which the Assistant Administrator has determined that a “regular and significant” mortality or serious injury of dolphins or a “regular and significant” tuna-dolphin association is occurring and labeled dolphin-safe must be accompanied by a government certificate validating: (1) The catch documentation is correct; (2) the tuna or tuna products meet the dolphin-safe standards under 50 CFR 216.91; and (3) the chain of custody information is correct.

The Assistant Administrator makes a determination of “regular and significant mortality or serious injury of dolphins” based upon the readily available information showing that the mortality or serious injury occurring in the fishery exceeds that of the large purse seine tuna fishery in the ETP.

A regular and significant determination will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the mortality and serious injury of dolphins for a particular fishery is less than that occurring in the large purse seine tuna fishery in the ETP.

Pursuant to 50 CFR 216.91(a)(3)(v), the Assistant Administrator considered readily available information and documentary evidence submitted, in response to letters requesting information, by the relevant

governments and determined that gillnet fisheries harvesting tuna flagged under the jurisdiction of the Governments of India, Iran, Mozambique, Pakistan, Oman, Saudi Arabia, Sri Lanka, Tanzania, the United Arab Emirates, and Yemen have a regular and significant mortality or serious injury of dolphins in the course of those fishing operations.

After consultation with the Department of State, the Assistant Administrator issued a regular and significant determination for such gillnet fisheries to the Governments of India, Iran, Mozambique, Pakistan, Oman, Saudi Arabia, Sri Lanka, Tanzania, the United Arab Emirates, and Yemen. Tuna products from those fisheries harvested on fishing trips that begin on or after the effective date of this notice are therefore subject to the regulations set forth in 50 CFR 216.91(a)(3)(v) and (a)(5)(ii), including a requirement that tuna and tuna products from these fisheries exported from or offered for sale in the United States that are marketed as or include on the label of that product the term “dolphin safe” must be accompanied, as described in 50 CFR 216.91(a)(3)(v), by a written statement executed by both the captain of the vessel and also, as described above, a statement by an observer participating in a national or international program acceptable to the Assistant Administrator, that certifies that no dolphins were killed or seriously injured in the sets or other gear deployments in which the tuna were caught and certain other required information regarding dolphin interactions and segregation of tuna.

The Assistant Administrator has not yet determined that any national or international observer program operating in the fisheries identified in this notice are “acceptable” for purposes of 50 CFR 216.91(a)(3)(v). To make determinations that an observer program is “acceptable” for purposes of 50 CFR 216.91(a)(3)(v), the Assistant Administrator will use the applicable criteria set forth in the **Federal Register** notice published July 14, 2014, (79 FR 40718) entitled “Determination of Observer Programs as Qualified and Authorized by the Assistant Administrator for Fisheries.” Government authorities of the nations identified above are invited to submit information to NMFS that would support a determination that an observer program is acceptable for the purposes of making the statements required under 50 CFR 216.91(a)(3)(v).

Dated: September 21, 2016.

**John Henderschedt,**

*Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.*

[FR Doc. 2016-23333 Filed 9-27-16; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XE560**

**Marine Mammals; File Nos. 19436 and 19592**

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

**ACTION:** Notice; issuance of permits.

**SUMMARY:** Notice is hereby given that permits have been issued to the Aleut Community of St. Paul Island, Tribal Government, Ecosystem Conservation Office [File No. 19436], 2050 Venia Minor Road, P.O. Box 86, St. Paul Island, AK 99660 [Responsible Party: Pamela Lestenkof], and the St. George Traditional Council, Ecosystem Conservation Office [File No. 19592], P.O. Box 940, St. George Island, Alaska 99591 [Responsible Party: Chris Merculief], to conduct research on and export specimens of northern fur seals (*Callorhinus ursinus*), Steller sea lions (*Eumetopias jubatus*), harbor seals (*Phoca vitulina*) for scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

**FOR FURTHER INFORMATION CONTACT:** Rosa González or Amy Sloan, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On May 9, 2016, notice was published in the *Federal Register* (81 FR 28052) that requests for permits to conduct research on and export specimens of northern fur seals (*Callorhinus ursinus*), Steller sea lions (*Eumetopias jubatus*) and harbor seals (*Phoca vitulina*) for scientific research had been submitted by the above-named applicants. The requested permits have been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (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 permits (Nos. 19436 and 19592) authorize the Permit Holders to perform a series of activities to fulfill their Biosampling, Entanglement/Disentanglement, and Island Sentinel Program responsibilities as established under the co-management agreements between NMFS and the Aleut Communities. See tables in the permits for authorized numbers of takes by species, stock and activity. The permits are valid until September 30, 2021.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), NMFS has determined that the activities proposed are consistent with the Preferred Alternative in the Final Programmatic Environmental Impact Statement for Steller Sea Lion and Northern Fur Seal Research (NMFS 2007), and the Environmental Assessment for Issuance of Permits to take Steller Sea Lions by harassment during surveys using unmanned aerial systems (NMFS 2014), and that issuance of the permits would not have a significant adverse impact on the human environment.

As required by the ESA, issuance of the permits was based on a finding that such permits: (1) Were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: September 22, 2016.

**Julia Harrison,**

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

[FR Doc. 2016-23316 Filed 9-27-16; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XA160**

**Marine Mammals; File No. 15330**

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

**ACTION:** Notice; issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Robin Baird, Ph.D., Cascadia Research,

218½ W. 4th Avenue, Olympia, WA 98501, has been issued a minor amendment to Scientific Research Permit No. 15330.

**ADDRESSES:** The amendment and related documents are available for review upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

**FOR FURTHER INFORMATION CONTACT:** Shasta McClenahan or Carrie Hubbard, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (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.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The original permit (No. 15330), issued on July 28, 2011 (76 FR 48146) authorized harassment of 40 cetacean species through vessel approach for sighting surveys, photographic identification, behavioral research, opportunistic sampling (breath, sloughed skin, fecal material, and prey remains), and aerial over-flights. All cetacean species except harbor porpoise (*Phocoena phocoena*), right whales (*Eubalaena japonica*), Cook Inlet beluga whales (*Delphinapterus leucas*), and unidentified mesoplodon and baleen species will be targeted for dart and/or suction-cup tagging. Import and export of marine mammal prey specimens, sloughed skin, fecal, and breath samples obtained is authorized. Seven species of pinnipeds may be incidentally harassed during research activities. The original permit was valid through August 1, 2016. The minor amendment (No. 15330-03) extends the duration of the permit through August 1, 2017, but does not change any other terms or conditions of the permit.

Dated: September 23, 2016.

**Julia Harrison,**

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

[FR Doc. 2016-23339 Filed 9-27-16; 8:45 am]

**BILLING CODE 3510-22-P**