

adverse effects on listed species can result in direct harm or injury of individuals of the covered species, and through changes in habitat that interfere with the essential life activities of the species. Both types of effects are addressed in the HCP conservation measures.

The HCP addresses the adverse effects of the covered activities on the covered species by reducing or eliminating those effects to the maximum extent practicable, and by mitigating effects that cannot be eliminated altogether. To address the adverse effects, the HCP's conservation measures modify irrigation activities that reduce instream flow. As a result, with implementation of the HCP, flows in the affected reaches will be higher than they were historically (over the last 50+ years) in the winter, and the duration of high summer water temperatures will be reduced.

The conservation strategy consists of a series of conservation measures to reduce and mitigate (*i.e.*, offset) the adverse effects of covered activities that can result in the take of the covered species. Proposed conservation measures include actions that would change the timing and volume of water released from covered reservoirs and streamflow in covered rivers and creeks by (1) establishing a minimum instream flow in the Deschutes River below Crane Prairie Dam; (2) increasing fall and winter Deschutes River flows based on a schedule of flow increases, thus improving rearing and migratory habitat for covered species in the middle and lower Deschutes River; (3) limiting irrigation season flows (summer flow cap) in years 8 through 28 of the ITP; (4) supplementing releases of uncontracted storage from Prineville Reservoir on the Crooked River; (5) providing conservation funds for the Crooked River, Whychus Creek, and Upper Deschutes River; and (6) providing other conservation measures to modify operation and maintenance of water facilities to enhance flows on the Deschutes River, Crescent Creek, Little Deschutes River, Whychus Creek, Crooked River, Ochoco Creek, and McKay Creek. The conservation strategy also provides an adaptive management and monitoring program to ensure that it is achieving the intended benefits to the covered species.

Criteria for Issuing Permit 26645

Issuance criteria for this permit are described in ESA section 10(a)(2)(B) and its implementing regulations (50 CFR 222.307(c)(2)). According to the ESA, NMFS shall issue the requested incidental take permit, if NMFS finds that the following criteria are met:

- (i) The taking will be incidental;
- (ii) The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking;
- (iii) The applicant will ensure that adequate funding for the plan will be provided;
- (iv) The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and
- (v) The measures, if any, required under subparagraph (A)(iv) will be met, and NMFS has received such other assurances as it may require that the plan will be implemented.

NMFS found that the applicants met the criteria for the issuance of an incidental take permit, and as such, NMFS issued the incidental take permit to the applicants for the incidental take of the covered species.

Authority

Section 9 of the ESA and Federal regulations prohibits the "taking" of a species listed as endangered or threatened. The ESA defines "take" to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits, under limited circumstances to take listed species when take is incidental to, and not the purpose of, otherwise lawful activities. Section 10(a)(1)(B) of the ESA provides for authorizing incidental take of listed species by non-Federal entities. The regulations for issuing incidental take permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Dated: January 12, 2023.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2023-00902 Filed 1-18-23; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; International Dolphin Conservation Program

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of

1995, on or after the date of publication of this notice. We invite 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. Public comments were previously requested via the **Federal Register** on August 31, 2022 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic & Atmospheric Administration (NOAA), Commerce.

Title: International Dolphin Conservation Program.

OMB Control Number: 0648-0387.

Form Number(s): None.

Type of Request: Regular submission, extension of a currently approved information collection, without change.

Number of Respondents: 518.

Average Hours per Response: 35 minutes for a vessel permit application; 10 minutes for an operator permit application, a notification of vessel arrival or departure, a change in permit operator, a notification of a net modification or a monthly tuna storage removal report; 30 minutes for a request for a waiver to transit the ETP without a permit (and subsequent radio reporting) or for a special report documenting the origin of tuna (if requested by the NOAA Administrator); 10 hours for an experimental fishing operation waiver; 15 minutes for a request for a Dolphin Mortality Limit; 35 minutes for written notification to request active status for a small tuna purse seine vessel; 5 minutes for written notification to request inactive status for a small tuna purse seine vessel or for written notification of the intent to transfer a tuna purse seine vessel to foreign registry and flag; 60 minutes for a tuna tracking form or for a monthly tuna receiving report; 30 minutes for IMO application or exemption request; 30 minutes for chain of custody recordkeeping reporting requirement.

Total Annual Burden Hours: 277.

Needs and Uses: This request is for extension, without change, of a current information collection.

National Oceanic and Atmospheric Administration (NOAA) collects information to implement the International Dolphin Conservation Program Act (Act). The Act allows entry of yellowfin tuna into the United States (U.S.), under specific conditions, from nations in the International Dolphin Conservation Program that would otherwise be under embargo. The Act also allows U.S. fishing vessels to participate in the yellowfin tuna fishery

in the eastern tropical Pacific Ocean (ETP) on terms equivalent with the vessels of other nations. NOAA collects information to allow tracking and verification of “dolphin-safe” and “non-dolphin safe” tuna products from catch through the U.S. market.

The regulations implementing the Act are at 50 CFR parts 216 and 300. The recordkeeping and reporting requirements at 50 CFR parts 216 and 300 form the basis for this collection of information. This collection includes permit applications, notifications, tuna tracking forms, reports, and certifications that provide information on vessel characteristics and operations in the ETP, the origin of tuna and tuna products, chain of custody recordkeeping requirements and certain other information necessary to implement the Act.

Affected Public: Business or other for-profit organizations; individuals or households.

Frequency: Annually, monthly, as requested, or as needed.

Respondent's Obligation: Mandatory.

Legal Authority: The International Dolphin Conservation Program Act, with regulations implementing the Act at 50 CFR parts 216 and 300. The recordkeeping and reporting requirements at 50 CFR parts 216 and 300 form the basis for this collection of information.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0387.

Sheleen Dumas,

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

[FR Doc. 2023–00983 Filed 1–18–23; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–P–2022–0032]

Expanding Opportunities To Appear Before the Patent Trial and Appeal Board

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

ACTION: Request for comments; extension of written comment period.

SUMMARY: The United States Patent and Trademark Office (Office or USPTO) published a request for comments in the **Federal Register** on October 18, 2022, seeking comments from the public on the requirements to practice before the Patent Trial and Appeal Board (PTAB). Through this notice, the Office is extending the period for written public comments until January 31, 2023.

DATES: *Comment Deadline:* Written comments must be received by January 31, 2023.

ADDRESSES: For reasons of government efficiency, comments must be submitted through the Federal eRulemaking Portal at www.regulations.gov. To submit comments via the portal, enter docket number PTO–P–2022–0032 on the homepage and click “Search.” The site will provide a search results page listing all documents associated with this docket. Find a reference to this request for comments and click on the “Comment Now!” icon, complete the required fields, and enter or attach your comments. Attachments to electronic comments will be accepted in ADOBE® portable document format (PDF) or MICROSOFT WORD® format. Because comments will be made available for public inspection, information that the submitter does not desire to make public, such as an address or phone number, should not be included. Visit the Federal eRulemaking Portal for additional instructions on providing comments via the portal. If electronic submission of and access to comments is not feasible due to a lack of access to a computer and/or the internet, please contact the Office using the contact information below for special instructions on how to submit comments by other means.

FOR FURTHER INFORMATION CONTACT: Michael Tierney, Vice Chief Administrative Patent Judge; Scott Moore, Acting Vice Chief Administrative Patent Judge; and/or Jamie Wisz, Lead Administrative Patent Judge; at 571–272–9797.

SUPPLEMENTARY INFORMATION: On October 18, 2022, the USPTO published a **Federal Register** Notice announcing that the Office seeks public input on whether revisions should be made to the criteria for appearing as counsel and/or lead counsel in PTAB proceedings under the Leahy-Smith America Invents Act. The request for comments also sought public input on whether the USPTO should make changes or improvements to training and development programs, such as the PTAB’s Legal Experience and Advancement Program, to increase opportunities for practitioners who wish to appear before the PTAB. 87 FR 63047. The notice requested that written public comments be submitted on or before January 17, 2023.

Through this notice, the USPTO is extending the period for written public comments until January 31, 2023, to give interested members of the public additional time to submit comments. Previously submitted written comments do not need to be resubmitted. Any comments received after the close of the previous deadline of January 17, 2023, and the publication date of this notice will be treated as timely and given full consideration.

All other information and instructions to commenters provided in the October 18, 2022, notice remain unchanged.

Katherine K. Vidal,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2023–00947 Filed 1–18–23; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–P–2022–0027]

Expanding Admission Criteria 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: Request for comments; extension of written comment period.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) published a request for comments in the **Federal Register** on October 18, 2022, seeking comments from the public on the scientific and technical requirements to practice in patent matters before the USPTO. Through this notice, the Office is extending the