

Sanctuaries Natural Resource Damage Assessments for fiscal year 2014.

**SUMMARY:** The National Oceanic and Atmospheric Administration’s (NOAA’s) Office of National Marine Sanctuaries (ONMS) announces the establishment of new indirect cost rates for the recovery of indirect costs for its component organizations involved in natural resource damage and restoration activities for fiscal year (FY) 2014. NOAA provides the indirect cost rates for this fiscal year and the dates of implementation in this notice. The public can obtain more information on this rate from the address provided below in the **ADDRESSES** section.

**DATES:** This notice is effective on November 29, 2021.

**ADDRESSES:** Vicki Wedell, phone 240–676–3805; email [Vicki.Wedell@noaa.gov](mailto:Vicki.Wedell@noaa.gov); or 1305 East-West Highway, N/NMS, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Vicki Wedell, phone 240–676–3805; email [Vicki.Wedell@noaa.gov](mailto:Vicki.Wedell@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

The Natural Resource Damage Assessment (NRDA) mission of ONMS is to restore injuries to sanctuary resources caused by the release of hazardous substances or oil under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA; 42 U.S.C., 9601 *et seq.*) or the Oil Pollution Action of 1990 (OPA; 33 U.S.C., 2701 *et seq.*), or physical injuries under the National Marine

Sanctuaries Act (NMSA) (16 U.S.C. 1431 *et seq.*). ONMS conducts NRDA’s as a basis for recovering damages from responsible parties and uses the funds recovered to restore injured sanctuary resources.

When addressing NRDA incidents, the costs of the damage assessment are recoverable from individuals and organizations who are potentially liable for an incident. Total costs include both direct and indirect costs. Direct costs are costs for activities that are clearly and readily attributable to a specific case or other program products. In contrast, indirect costs reflect the costs for activities that collectively support ONMS’ mission and operations. For example, indirect costs include general administrative support overheads. Although indirect costs may not be readily traced back to a specific direct activity, indirect costs may be allocated to direct activities using an indirect cost distribution rate.

Consistent with standard Federal accounting requirements, ONMS is required to account for and report the full costs of its programs and activities. Further, ONMS is authorized by law to recover reasonable costs of damage assessment and restoration activities under CERCLA, OPA and the NMSA. Within the constraints of these laws, ONMS has the discretion to develop indirect cost rates subject to its requirements.

**ONMS’s Indirect Cost Effort**

NOAA contracted Empirical Concepts Incorporated (Empirical), who subcontracted with the public accounting firm Cotton and Company LLP to: (1) Evaluate the cost accounting system and allocation practices; (2) recommend the appropriate indirect cost allocation methodology; and (3) determine the indirect cost rates for the organizations that comprise ONMS.

Empirical concluded that the cost accounting system and allocation practices of ONMS component organizations are consistent with Federal accounting requirements. Empirical also determined that the most appropriate indirect allocation method was the Direct Labor Cost Base for all ONMS component organizations. The Direct Labor Cost Base is computed by allocating total indirect costs over the sum of direct labor dollars plus the application of NOAA’s leave surcharge and benefits rates to direct labor. Empirical further assessed that the indirect cost rates for the ONMS component organizations were fair and equitable. A report on Empirical’s assessment and their determination can be obtained from the person identified in **FOR FURTHER INFORMATION CONTACT**.

**ONMS Indirect Cost Rate and Policies**

ONMS will apply the indirect cost rate for FY2014 as recommended by Empirical for each of the ONMS component organizations as provided in the following table:

ONMS component organization	Fiscal year 2014 indirect rate (percent)
Office of National Marine Sanctuaries (except for Florida Keys National Marine Sanctuary) .....	144.22
Florida Keys National Marine Sanctuary .....	188.11

The ONMS indirect rates increased from the FY2010 rates of 67.95 percent for all ONMS sites (except Florida Keys National Marine Sanctuary (FKNMS)) and 82.35 percent for FKNMS because ONMS had less direct case work and more indirect work during FY2014. The indirect rates are inversely proportional to direct costs.

ONMS will apply the FY2014 rates identified in this notice to all damage assessment and restoration case costs incurred from October 1, 2014 until present, using the Direct Labor Cost base allocation methodology. For cases that have settled and for cost claims paid prior to the effective date of the fiscal year in question, ONMS will not re-open any resolved matters for the purpose of applying the rates in this

notice. For cases not settled and cost claims not paid prior to the effective date of the fiscal year in question, ONMS will calculate costs using the rates in this notice. ONMS will use the FY2014 rates for future fiscal years until year-specific rates are developed.

**John Armor,**  
*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*  
[FR Doc. 2021–25919 Filed 11–26–21; 8:45 am]  
**BILLING CODE 3510–NK–P**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Representative and Address Provisions**

The United States Patent and Trademark Office (USPTO) 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. The USPTO invites comment on this information collection renewal, which

helps the USPTO assess the impact of its information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on September 7, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

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

*Title:* Representative and Address Provisions.

*OMB Control Number:* 0651-0035.

*Form Number(s):* (AIA = American Invents; SB = Specimen Book).

- PTO/AIA/80; PTO/SB/80 (Power of Attorney to Prosecute Applications Before the USPTO)
- PTO/AIA/81 (Power of Attorney to One or More of the Joint Inventors and Change of Correspondence Address)
- PTO/SB/81 (Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/AIA/81A; PTO/SB/81A (Patent—Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/AIA/81B (Reexamination or Supplemental Examination—Patent Owner Power of Attorney or Revocation of Power of Attorney With a New Power of Attorney and Change of Correspondence Address for Reexamination or Supplemental Examination and Patent)
- PTO/SB/81B (Reexamination—Patent Owner Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/SB/81C (Reexamination—Third Party Requester Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/AIA/82A; PTO/AIA/82B; PTO/AIA/82C (Transmittal for Power of Attorney To One Or More Registered Practitioners/Power Of Attorney By Applicant)
- PTO/AIA/83; PTO/SB/83 (Request for Withdrawal as Attorney or Agent and Change of Correspondence Address)
- PTO/SB/124 (Request for Customer Number Data Change)
- PTO/SB/125 (Request for Customer Number)
- PTO/2248 (Request to Update a PCT Application with a Customer Number)

*Type of Review:* Extension and revision of a currently approved information collection.

*Estimated Number of Respondents:* 184,743 respondents per year.

*Estimated Number of Responses:* 226,573 responses per year.

*Average Hour per Response:* The USPTO estimates that it takes the public approximately between 0.2 hours (12 minutes) and 1.5 hours (90 minutes) to submit the information in this information collection, including the time to gather the necessary information, prepare the appropriate form or document, and submit the completed item to the USPTO.

*Estimated Total Annual Respondent Burden Hours:* 111,104 hours per year.

*Estimated Total Annual Non-Hour Cost Burden:* \$26,695 per year.

*Needs and Uses:* The public uses this information collection to grant or revoke power of attorney, to withdraw as attorney or agent of record, to authorize a practitioner to act in a representative capacity, to request a Customer Number, and to change the data associated with a Customer Number. This information collection is necessary so that the USPTO knows who is authorized to take action in an application, patent, or reexamination proceeding and where to send correspondence regarding an application, patent, or reexamination proceeding. In this notice, the USPTO has updated and slightly revised its estimated numbers from those originally published in the 60-day notice.

*Affected Public:* Private sector; individuals or households.

*Frequency:* On occasion.

*Respondent's Obligation:* Required to obtain or retain benefits.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view Department of Commerce, USPTO information collections currently under review by OMB.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://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 information collection or the OMB Control Number 0651-0035.

Further information can be obtained by:

- *Email:* [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0035 information request" in the subject line of the message.
- *Mail:* Kimberly Hardy, Office of the Chief Administrative Officer, United States Patent and Trademark Office,

P.O. Box 1450, Alexandria, VA 22313-1450.

**Kimberly Hardy,**

*Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.*

[FR Doc. 2021-25930 Filed 11-26-21; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Notice of Intent To Grant a Partially Exclusive Patent License

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the Bayh-Dole Act and implementing regulations, the Department of the Air Force hereby gives notice of its intent to grant a partially exclusive patent license to UES Inc., a small business, having a place of business at 4401 Dayton-Xenia Road, Dayton, OH 45432-1894. Such license is partially exclusive as it is limited to the field of electronics.

**DATES:** Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this Notice.

**ADDRESSES:** Submit written objections to James F. McBride, Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Area B, Building 11, Wright-Patterson AFB, OH 45433-7109; Facsimile: (937) 255-9318; or Email: [afmclo.jaz.tech@us.af.mil](mailto:afmclo.jaz.tech@us.af.mil). Include Docket ARX-210727A-PL in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** James F. McBride, Air Force Materiel Command Law Office, AFMCLO/JAZ, 2240 B Street, Area B, Building 11, Wright-Patterson AFB, OH 45433-7109; Telephone: (937) 713-0229; Facsimile: (937) 255-9318; or Email: [afmclo.jaz.tech@us.af.mil](mailto:afmclo.jaz.tech@us.af.mil).

**SUPPLEMENTARY INFORMATION:** The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 35 U.S.C. 209; 37 CFR 404. and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.