

Court's July 31, 2020, judgment constitutes a final decision of that court that is not in harmony with Commerce's *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken* and section 516A of the Act. Accordingly, Commerce will continue the suspension of liquidation of ribbons subject to this review pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

#### Amended Final Results

Because there is now a final court decision, Commerce is amending its *Final Results* with respect to the subsidy rate calculated for Yama. Based on the Remand Results, as affirmed by the Court, the revised subsidy rate for Yama for the POR is 12.83 percent.<sup>10</sup>

In the event that the Court's ruling is not appealed, or, if appealed, is upheld by a final and conclusive court decision, Commerce will instruct U.S. Customs and Border Protection to assess countervailing duties on unliquidated entries of subject merchandise based on the revised subsidy rates summarized above.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c)(1) and (e), and 777(i)(1) of the Act.

Dated: August 5, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2020–17521 Filed 8–10–20; 8:45 am]

**BILLING CODE 3510–DS–P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[RTID 0648–XA377]

##### Marine Mammals and Endangered Species

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

**ACTION:** Notice; issuance of permits and permit amendments.

**SUMMARY:** Notice is hereby given that permits and permit amendments have been issued to the following entities under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA), as applicable.

**ADDRESSES:** The permits and related documents are available for review upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

#### FOR FURTHER INFORMATION CONTACT:

Shasta McClenahan (Permit Nos. 21585–01, 23922, and 23923), Jennifer Skidmore (Permit No. 23779), and Amy Hapeman (Permit No. 23672); at (301) 427–8401.

**SUPPLEMENTARY INFORMATION:** Notices were published in the **Federal Register** on the dates listed below that requests for a permit or permit amendment had been submitted by the below-named applicants. To locate the **Federal Register** notice that announced our receipt of the application and a complete description of the research, go to [www.federalregister.gov](http://www.federalregister.gov) and search on the permit number provided in Table 1 below.

TABLE 1—ISSUED PERMITS AND PERMIT AMENDMENTS

Permit No.	RTID	Applicant	Previous <b>Federal Register</b> notice	Issuance date
21585–01 ...	0648–XA223	Oregon State University, Marine Mammal Institute, 2030 Southeast Marine Science Drive, Newport, OR 97365 (Responsible Party: Lisa Ballance, Ph.D.).	85 FR 35415; June 10, 2020.	July 30, 2020.
23672 .....	0648–XR108	Environmental Investigation Agency, P.O. Box 53343, Washington, DC 20009 (Responsible Party: Allan Thornton).	85 FR 16329; March 23, 2020.	July 27, 2020.
23779 .....	0648–XA235	Allyson Hindle, Ph.D., University of Nevada Las Vegas, 4505 S Maryland Parkway, MS 4004, Las Vegas, NV 89154.	85 FR 36837; June 18, 2020.	July 27, 2020.
23922 .....	0648–XA219	University of California, 35 Medical Center Way, San Francisco, CA 94131 (Responsible Party: Alexander Pollen, Ph.D.).	85 FR 35266; June 9, 2020.	July 27, 2020.
23923 .....	0648–XA220	Eugene DeRango, Bielefeld University, Department of Animal Behaviour, Morgenbreede 45, Bielefeld, Germany.	85 FR 35416; June 10, 2020.	July 27, 2020.

Permit No. 23672 was issued on July 27, 2020; the permit takes effect on April 1, 2021 and is valid through December 1, 2022.

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

As required by the ESA, as applicable, issuance of these permits were 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.

**Authority:** The requested permits have been issued under the MMPA 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 ESA of 1973, as amended (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), as applicable.

**Julia Marie Harrison,**

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

[FR Doc. 2020–17507 Filed 8–10–20; 8:45 am]

**BILLING CODE 3510–22–P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[RTID 0648–XA327]

##### Endangered Species; Notice of Issuance for Incidental Take Permit No. 21316

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

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

**SUMMARY:** Notice is hereby given that NMFS has issued an incidental take permit to Barney Davis, LLC, for the

<sup>10</sup> See Remand Results at 4.

incidental take of threatened North Atlantic Distinct Population Segment green sea turtles (*Chelonia mydas*) and endangered Kemp's ridley sea turtles (*Lepidochelys kempii*) during the conduct of otherwise lawful activities associated with the operation of the Barney Davis Energy Center, located in Corpus Christi, TX. The incidental take permit is issued for a duration of 10 years.

**ADDRESSES:** The incidental take permit, final environmental assessment, and other related documents are available on the NMFS Office of Protected Resources website at <https://www.fisheries.noaa.gov/action/incidental-take-permit-barney-davis-llc>.

**FOR FURTHER INFORMATION CONTACT:** Sara Wissmann, phone: (301) 427-8402; email: [Sara.Wissmann@noaa.gov](mailto:Sara.Wissmann@noaa.gov), or Wendy Piniak, phone: (301) 427-8402; email: [Wendy.Piniak@noaa.gov](mailto:Wendy.Piniak@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Section 9 of the Endangered Species Act (ESA) and Federal regulations prohibit 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 if the taking 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. The regulations for issuing incidental take permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Barney Davis, LLC (herein Barney Davis) owns Barney Davis Energy Center (herein facility), a natural gas-fired electric power generating facility. The facility is located at 4301 Waldron Road, Corpus Christi, Nueces County, Texas. The facility has approximately 1,992 acres of land between the Laguna Madre and Oso Creek and comprises two natural gas-fired combustion turbines, two Heat Recovery Steam Generators, a Cooling Water Intake Structure (CWIS) and other equipment and structures necessary for operation.

The facility uses a 0.75-mile (1.2-kilometer) cooling water intake canal leading to the CWIS from the Laguna Madre basin. Although the facility has been in operation since 1974, the presence of sea turtles in the intake canal has only been documented during the past 10 years and has been primarily associated with cold-stunning events.

On December 23, 2015, Barney Davis submitted a first draft application for an incidental take permit for the take of

ESA-listed sea turtles associated with otherwise lawful activities associated with the operations of its power station. After review by and discussions with NMFS, subsequent revised applications and information were submitted on November 4, 2016 and August 25, 2017. On September 14, 2017, NMFS published a notice of availability of the Barney Davis application and conservation plan in the **Federal Register** (82 FR 43224), and requested public comment. The comment period was open for 30-days, and ended on October 16, 2017. Two public comments were received. The information in these comments was incorporated into the incidental take permit. After discussions between NMFS and the applicant, additional revisions were made to the application and conservation plan, and application was re-submitted on October 19, 2018. On September 27, 2019 NMFS published a second notice of availability in the **Federal Register** (84 FR 51116) to request public comment on the Draft Environmental Assessment and revised application and conservation plan. The public comment period was open for 30-days, through October 28, 2019. No public comments were received on either the Draft Environmental Assessment or the revised application.

In February 2020, NMFS and the applicant entered into discussions on the level of take that would be authorized by the proposed incidental take permit. It was decided to restructure the take authorization to a 10-year permit total and reduce the number of takes authorized. As such, NMFS requested that the applicant update their application and conservation plan with their updated take request and incorporate the best available science. The Applicant revised their application and conservation plan to include the best scientific and commercial data available and submitted a final version to NMFS on June 26, 2020. This final document is available on the NMFS website.

NMFS has issued the requested incidental take permit under the authority of the ESA of 1973, as amended (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).

This incidental take permit is valid for 10 years and authorizes the incidental take of 206 green sea turtles (up to 24 severe injuries or mortalities), and 4 live Kemp's ridley sea turtles during the 10-year duration of the permit. This permit covers incidental take from date of issuance through

August 31, 2030 and will facilitate the rescue and rehabilitation of sea turtles found at the facility.

The conservation plan includes several mitigation and monitoring measures which will offset the impact of the taking authorized by the incidental take permit. Facility employees will visually monitor the area surrounding the cribhouse, which includes the intake canal, bulkhead, and trash racks on a specific seasonal schedule to intercept sea turtle prior to impingement. Visual monitoring will last for at least 15 minutes during each monitoring event. Facility employees will use appropriate equipment (*i.e.*, binoculars), as needed, to sufficiently identify sea turtles in the canal and bulkhead. Facility employees responsible for monitoring the intake canal must be trained upon hiring, and again annually, on the proper procedures required for the collection of sea turtles, as well as identification and proper recordkeeping procedures. Training records and materials must be kept on site for the duration of the incidental take permit. Facility employees must contact Texas Parks and Wildlife Hatchery staff immediately upon observation and/or collection of the animal. If Texas Parks and Wildlife Hatchery staff are not available to assist, facility employees must immediately contact the National Park Service, Texas Sea Turtle Stranding and Salvage Network. Facility employees must follow any instructions provided by Texas Parks and Wildlife Hatchery staff or the National Park Service regarding the collection, handling, and holding of the animal until the animal is transferred to the Texas Sea Turtle Stranding and Salvage Network. Facility employees must also record details on the take, including, where the animal was found on facility property, species, condition of the animal, disposition, and any other pertinent details of the circumstances of the taking, which will be provided to NMFS.

#### Criteria for Issuing an Incidental Take Permit

Issuance criteria 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 Barney Davis met the criteria for the issuance of an incidental take permit, and as such, NMFS issued an incidental take permit to Barney Davis for the incidental take of green and Kemp's ridley sea turtles during the operation of their facility.

Dated: August 6, 2020.

**Donna S. Wieting,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 2020-17519 Filed 8-10-20; 8:45 am]

**BILLING CODE 3510-22-P**

## **BUREAU OF CONSUMER FINANCIAL PROTECTION**

[Docket No: CFPB-2020-0025]

### **Privacy Act of 1974; System of Records**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice of a modified Privacy Act System of Records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, the Bureau of Consumer Financial Protection, hereinto referred to as the Consumer Financial Protection Bureau (Bureau), gives notice of the establishment of a revised Privacy Act System of Records. This revised system will collect information related to alternative dispute resolution processes; and the revised notice will clarify its applicability to time and attendance records.

**DATES:** Comments must be received no later than August 10, 2020. The modified system of records will be effective August 10, 2020, unless the comments received result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by the title and docket number (see above Docket No. CFPB-2020-0025), by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* [privacy@cfpb.gov](mailto:privacy@cfpb.gov).

- *Mail/Hand Delivery/Courier:*

Tannaz Haddadi, Chief Privacy Officer, Consumer Financial Protection Bureau,

1700 G Street NW, Washington, DC 20552. Please note that due to circumstances associated with the COVID-19 pandemic, the Bureau discourages the submission of comments by mail, hand delivery, or courier.

All submissions must include the agency name and docket number for this notice. In general, all comments received will be posted without change to <http://www.regulations.gov>. In addition, once the Bureau's headquarters reopens, comments will be available for public inspection and copying at 1700 G Street NW, Washington, DC 20552, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. At that time, you can make an appointment to inspect comments by telephoning (202) 435-9169. All comments, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

#### **FOR FURTHER INFORMATION CONTACT:**

Tannaz Haddadi, Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552, (202) 435-7058.

**SUPPLEMENTARY INFORMATION:** The Bureau revises its Privacy Act System of Records Notice (SORN) "CFPB.009—Employee Administrative Records System." The Bureau modifies the purpose(s) for which the system is maintained and the categories of records in the system to state that information in the system will be used to facilitate alternative dispute resolution processes. The SORN is also modified to clarify its applicability to time and attendance records and in adherence to routine uses specified in OMB M-17-12, "Preparing for and Responding to a Breach of Personally Identifiable Information" (Jan. 2017).<sup>1</sup>

The report of the revised system of records has been submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to OMB Circular A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act"

<sup>1</sup> Although pursuant to section 1017(a)(4)(E) of the Consumer Financial Protection Act, Public Law 111-203, the Bureau is not required to comply with OMB-issued guidance, it voluntarily follows OMB privacy-related guidance as a best practice and to facilitate cooperation and collaboration with other agencies.

(Dec. 2016), and the Privacy Act of 1974, 5 U.S.C. 552a(r).

#### **SYSTEM NAME AND NUMBER:**

CFPB.009—Employee Administrative Records System.

#### **SECURITY CLASSIFICATION:**

Unclassified.

#### **SYSTEM LOCATION:**

Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

#### **SYSTEM MANAGER(S):**

Consumer Financial Protection Bureau, Chief Operating Officer, 1700 G Street NW, Washington, DC 20552.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

12 U.S.C. 5492-93, 5511; 31 U.S.C. 3721; 42 U.S.C. 2000e-16; 42 U.S.C. 1981 note.

#### **PURPOSE(S) OF THE SYSTEM:**

The purpose of the system is to enable the Bureau to manage and administer human capital functions, including personnel actions, payroll, human resources, time and attendance, leave, insurance, tax, retirement and other employee benefits, employee claims for loss or damage to personal property, alternative dispute resolution processes, and to prepare related reports to other Federal agencies. The information will also be used for administrative purposes to ensure quality control, performance, and improving management processes.

#### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Current and former Bureau employees, volunteers, detailees, applicants, and persons who work at the Bureau (collectively employees), and their named dependents and/or beneficiaries, their named emergency contacts, and individuals who have been extended offers of employment.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Records in this system may contain identifiable information about individuals including, without limitation: (1) Identification and contact information, including name, address, email address, phone number and other contact information; (2) employee emergency contact information, including name, phone number, relationship to employee or emergency contact; (3) Social Security number (SSN), employee ID number, organization code, pay rate, salary, grade, length of service, and other related pay and leave records including payroll data; (4) biographic and demographic data, including date of