

area. Stakes will be used to delineate heavy equipment work and driving zones.

b. All construction personnel must attend a mandatory environmental briefing at the start of the work day for work to be performed in pinniped haulout sites, and personnel attendance must be documented.

c. Construction equipment must be inspected before mobilization to ensure no pinnipeds are under or near equipment.

d. If displacement of pinnipeds is conducted, temporary barriers must be used, if necessary, to keep the displaced pinnipeds from re-entering the area during activities.

e. Displacement must be conducted in such a way as to avoid stampedes. Approach of pinnipeds must be conducted gradually.

f. Displacement or flushing of pinnipeds should be avoided, whenever possible, if dependent pups are present.

g. The Navy will suspend activities immediately if an injured marine mammal is found in the vicinity of the proposed activity area and the proposed activities could aggravate its condition further. The incident must be reported to NMFS immediately.

h. No oil, fuel or chemicals will be allowed to be discharged to waters of the state. Vessels will be equipped with spill kits and cleanup materials, and operators will be trained in responding to an accidental release of oil, fuel, or chemicals. Offloading equipment will be checked for leaks at the start of beach grading and aggregate offloading each day.

i. Measures will be taken to prevent spillage of aggregate during the barge to barge transfer process. Measures may include but are not limited to, the use of a tarp or other barrier between the two barges, to capture spillage.

j. The Navy shall monitor marine mammal populations and evaluate interactions related to island activities.

k. The project biologist will record activities daily and provide electronic versions of biological monitoring reports at least weekly to NAVFAC Southwest and NBVC.

l. The Navy shall monitor and protect island-wide pinniped breeding and haul-out sites and abide by the conditions for this monitoring program contained in the INRMP.

m. The holder of this IHA is required to conduct monitoring of marine mammals present at the activity sites prior to, during, and for 30 minutes after the cessation of activities. Information to be recorded shall include the following: Species counts (with numbers of pups/juveniles); and

Numbers of disturbances, by species and age, according to a three-point scale of intensity including (1) Head orientation in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, or changing from a lying to a sitting position and/or slight movement of less than 1 m; "alert"; (2) Movements in response to or away from disturbance, typically over short distances (1–3 m) and including dramatic changes in direction or speed of locomotion for animals already in motion; "movement"; and (3) All flushes to the water as well as lengthier retreats (> 3 m); "flight".

6. Reporting: The holder of this IHA is required to submit a draft monitoring report to NMFS Office of Protected Resources within 90 days after the conclusion of the activities. A final report shall be prepared and submitted within 30 days following resolution of any comments on the draft report from NMFS. This report must contain the informational elements described in condition 5(m), at minimum.

7. This IHA may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein, or if the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals.

8. A copy of this IHA must be in the possession of anyone operating under the authority of this Incidental Harassment Authorization.

9. Penalties and Permit Sanctions: Any person who violates any provision of this Incidental Harassment Authorization is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA.

#### Request for Public Comments

NMFS requests comments on our analysis, the draft authorization, and any other aspect of the Notice of Proposed IHA for the Navy's roads and airfield repairs project on SNI, California. Please include with your comments any supporting data or literature citations to help inform our final decision on the Navy's request for an MMPA authorization.

Dated: February 20, 2014.

**Perry F. Gayaldo,**

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

[FR Doc. 2014-04196 Filed 2-25-14; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* United States Patent and Trademark Office (USPTO).

*Title:* Patent Trial and Appeal Board (PTAB) Actions.

*Form Number(s):* None.

*Agency Approval Number:* 0651-0063.

*Type of Request:* Revision of a currently approved collection.

*Burden:* 858,683 hours annually.

*Number of Responses:* 34,537 responses per year. The USPTO estimates that approximately 8,634 of these responses will be from small entities. The USPTO also estimates that 32,119 responses will be filed electronically.

*Avg. Hours per Response:* The USPTO estimates that it will take the public approximately 2 to 32 hours to complete the briefs, amendments, requests, and petitions in this collection, depending on the complexity of the request. This includes the time to gather the necessary information, prepare the brief, petition, and other papers, and submit the completed request to the USPTO. The USPTO assumes that, on balance, it takes the same amount of time to gather the necessary information, prepare the brief, petition, and other papers, and submit the completed request to the USPTO, whether the applicant submits it in paper form or electronically.

*Needs and Uses:* The Patent Trial and Appeal Board (PTAB or Board) is established by statute under 35 U.S.C. § 6. This statute directs that PTAB "shall on written appeal of an applicant, review adverse decisions of examiners upon applications for patent and shall determine priority and patentability of invention in interferences." PTAB has the authority, under pre-AIA sections of the Patent Act, i.e., 35 U.S.C. §§ 134, 135, 306, and 315, to decide ex parte and inter partes appeals and interferences. The membership of the Board is established under 35 U.S.C. § 6. This collection permits applicants to prepare appeal and reply briefs which set forth the claims, issues, and arguments on appeal to the PTAB and permits applicants to file amendments to cancel pending, rejected claims that

they do not wish to be considered on appeal by the Board. Applicants may request that the PTAB reconsider its decision by filing a request for rehearing before the PTAB. Parties may also petition the Chief Administrative Patent Judge on matters pending before the Board. The PTAB uses the information to aid in rendering a decision on the claims, issues, and arguments submitted by the applicant, to determine which claims are on appeal, to decide whether to grant or deny a request for reconsideration of a decision, and to determine whether the necessary information has been provided to grant the petition. There are no forms associated with the items in this collection; however, they are governed by the rules in Part 41 and failure to comply with the appropriate rule may result in the dismissal of the appeal or denial of entry of the paper.

**Affected Public:** Individuals or households; businesses or other for-profits; non-profit institutions; and the Federal Government.

**Frequency:** On occasion.

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

**OMB Desk Officer:** Nicholas A. Fraser, email: [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov).

Once submitted, the request will be publicly available in electronic format through the Information Collection Review page at [www.reginfo.gov](http://www.reginfo.gov).

Paper copies can be obtained by:

- **Email:** [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0063 copy request" in the subject line of the message.

- **Mail:** Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before March 28, 2014 to Nicholas A. Fraser, OMB Desk Officer, via email to [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov), or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: February 20, 2014.

**Susan K. Fawcett,**  
Records Officer, USPTO, Office of the Chief Information Officer.

[FR Doc. 2014-04038 Filed 2-25-14; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Meeting of the Department of Defense Military Family Readiness Council (MFRC); Cancellation

**AGENCY:** Office of the Secretary, Department of Defense.

**ACTION:** Notice; cancellation.

**SUMMARY:** On Friday, January 31, 2014 (79 FR 5385), the Department of Defense published a notice announcing a meeting of the Military Family Readiness Council (MFRC) that was to take place on Friday, February 28, 2014. The meeting of Friday, February 28, 2014 was cancelled.

Due to schedules conflicts the MFRC is unable to assemble a quorum of members for the previously scheduled meeting on February 28, 2014. Therefore, the Department of Defense is cancelling the previously scheduled meeting.

**FOR FURTHER INFORMATION CONTACT:** Ms. Melody McDonald or Ms. Betsy Graham, Office of the Deputy Assistant Secretary of Defense (Military Community & Family Policy), 4800 Mark Center Drive, Alexandria, VA 22350-2300, Room 3G15. Telephones (571) 372-0880; (571) 372-0881 and/or email: [OSD Pentagon OUSD P-R Mailbox Family Readiness Council, osd.pentagon.ousd-p-r.mbx.family-readiness-council@mail.mil](mailto:OSD Pentagon OUSD P-R Mailbox Family Readiness Council, osd.pentagon.ousd-p-r.mbx.family-readiness-council@mail.mil).

**SUPPLEMENTARY INFORMATION:** Due to the circumstances beyond the control of the Designated Federal Officer, the Department of Defense must cancel the previously scheduled meeting of the Department of Defense Military Family Readiness Council on February 28, 2014. As a result, the Department of Defense is unable to provide appropriate notification as required by 41 CFR 102-3.150(a). Therefore, the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102-3.150(b), waives the 15-calendar day notification requirement.

Dated: February 21, 2014.

**Aaron Siegel,**

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014-04170 Filed 2-25-14; 8:45 am]

**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Department of the Army

[Docket ID: USA-2014-0002]

### Privacy Act of 1974; System of Records

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice to add a new System of Records.

**SUMMARY:** The Department of the Army proposes to add a new system of records in its inventory of record systems subject to the Privacy Act of 1974, as amended. This system will provide commanders and personnel specialists with near real time accountability data for military, civilian, and contractor personnel in a deployed theater. The information collected establishes and maintains a central personnel records repository for personnel accountability, strength management reporting, and compliance with deployment health policies and readiness reporting.

**DATES:** Comments will be accepted on or before March 28, 2014. This proposed action will be effective on the day following the end of the comment period unless comments are received which result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

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

\* **Mail:** Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350-3100.

**Instructions:** All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Mr. Leroy Jones, Jr., Department of the Army, Privacy Office, U.S. Army Records Management and Declassification Agency, 7701 Telegraph Road, Casey Building, Suite 144, Alexandria, VA 22325-3905 or by calling (703) 428-6185.

**SUPPLEMENTARY INFORMATION:** The Department of the Army notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or the Defense Privacy and Civil Liberties Office Web site at <http://dpcl.o.defense.gov/>.

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was