

# Notices

Federal Register

Vol. 77, No. 246

Friday, December 21, 2012

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

December 18, 2012.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB),

*OIRA\_Submission@OMB.EOP.GOV* or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

### Office of the Assistant Secretary for Administration

*Title:* USDA/1994 Tribal Scholars Program.

*OMB Control Number:* 0503-0016.

*Summary of Collection:* The USDA/1994 Tribal Scholars Program, within the Office of the Assistant Secretary for Administration, Office of Advocacy and Outreach, is an annual human capital initiative supporting Executive Order 13592—Improving American Indian and Alaska Native Educational Opportunities and Strengthening Tribal Colleges and Universities. The USDA/1994 Tribal Scholars Program is to assist USDA Agencies to meet critical human capital needs in rural, Tribal areas through qualified American Indian or Alaska Native students hired utilizing Indian Preference. This program offers a combination of paid work experience with the USDA sponsoring agency through the USDA Pathways Internship Program guidelines and the payment of a student's tuition, fees, and books. USDA Tribal Scholarship recipients are required to study in the food, and agricultural, and related sciences, as defined by the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(8)).

*Need and Use of the Information:* Information will be collected to determine the eligibility of applicants to the USDA Tribal Scholars Program. Each applicant to the program will be required to apply to an announced vacancy announcement through the USDA Pathways Internship Program and submit an application with required documentation. This will include: (1) A resume or OF-612 form; (2) Proof of acceptance or enrollment in school via transcript (mandatory for current students and recent graduates), or a letter of acceptance, or proof of registration, or letter from school official (on official letterhead); (3) Standing Register/Certificate of Eligibility; and (4) OF-306 Declaration for Federal Employment.

The collected information is used only to identify students for the USDA 1994 Tribal Scholarship Award.

*Description of Respondents:* Individuals or households.

*Number of Respondents:* 1,440.

*Frequency of Responses: Reporting:* Annually.

*Total Burden Hours:* 5,040.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2012-30776 Filed 12-20-12; 8:45 am]

**BILLING CODE 3412-88-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document No. AMS-ST-12-0054]

### Renewal of the Plant Variety Protection Board Charter

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App.), this notice announces that the Secretary of Agriculture intends to renew the Plant Variety Protection Board (PVP Board) Charter.

**FOR FURTHER INFORMATION CONTACT:** Paul Zankowski, USDA, Agricultural Marketing Service (AMS), 1400 Independence Ave. SW.; Rm. 4512-South Bldg., Mail Stop 0274; Washington, DC 20250-0274 or by phone at (202) 720-1128 or by email: [Paul.Zankowski@ams.usda.gov](mailto:Paul.Zankowski@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A Certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, and genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines.

The PVPA also provides for a statutory Board (7 U.S.C. 2327) to be appointed by the Secretary of Agriculture. The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the Act; (2) provide advisory counsel to the Secretary on appeals concerning

decisions on applications by the PVP Office and on requests for emergency public-interest compulsory licenses; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under Section 44 of the Act, "Public Interest in Wide Usage" (7 U.S.C. 2404). Renewing the PVP Board Charter is necessary and in the public interest.

The PVPA provides that "the Board shall consist of individuals who are experts in various areas of varietal development covered by this Act." The Board membership "shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public." The Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. Nominations are made by farmers' associations, trade associations in the seed industry, professional associations representing expertise in seed technology, plant breeding, and variety development, public and private research and development institutions (13 members) and the USDA (one member).

Equal opportunity practices, in agreement with USDA nondiscrimination policies, will be followed in all membership appointments to the Board. To ensure that the suggestions of the Board have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The Charter for the PVP Board will be available on the Web site at: <http://www.ams.usda.gov/PVPO> or may be requested by contacting the individual identified in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Persons with disabilities who require alternative means for communication of program information (Braille, large print, or audiotape.) should contact USDA's Target Center at 202-720-2600 (voice and TTY).

To file a written complaint of discrimination, write USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250-9410 or call 202-720-5964 (voice and TTY). USDA

is an equal opportunity provider and employer.

Dated: December 17, 2012.

**David Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2012-30745 Filed 12-18-12; 4:15 pm]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document No. AMS-ST-12-0056]

#### Plant Variety Protection Board; Soliciting Nominations

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Plant Variety Protection Office (PVPO) is seeking candidates for the Plant Variety Protection Board. We are asking for the submission of nomination packages (an Application for Committee Membership (AD-755) and resume) by January 7, 2013.

**FOR FURTHER INFORMATION CONTACT:** Paul Zankowski, USDA, Agricultural Marketing Service (AMS), Plant Variety Protection Office; 1400 Independence Avenue SW., Room 3543; Washington, DC 20250 or by phone at (202) 720-5231 or by email: [Paul.Zankowski@ams.usda.gov](mailto:Paul.Zankowski@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A Certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, and genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines.

The PVPA also provides for a statutory Board to be appointed by the Secretary of Agriculture (7 U.S.C. 2327). The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the PVPA; (2) provide advisory counsel to the Secretary on all appeals from the Examiner; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under Section 44 of the PVPA, "Public Interest in Wide Usage" (7 U.S.C. 2404). Reestablishing the PVP

Board is necessary and in the public interest.

The PVPA provides that "The Board shall consist of individuals who are experts in various areas of varietal development covered by this Act." (7 U.S.C. 2327(a)). The Board membership "shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public." (7 U.S.C. 2327(a)).

The PVP Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. The term of the present Board will expire in December 2012. The first meeting of the new Board will most likely be held in the spring/summer of 2013. In order to provide the Secretary of Agriculture with a broad choice from a diverse group of applicants, the PVPO is asking for nominated members to serve on the Board for 2 years from the date of appointment. PVP Board members will serve without compensation, except for standard government reimbursable expenses.

To ensure that the recommendations of the Board take into account the needs of the diverse groups served by the USDA (from research and production to trade, use, and consumption). The USDA is responsible for vetting every candidate who applies for membership to a USDA Research and Promotion Board and/or Federal Advisory Committee. Also, please note that federally registered lobbyists are prohibited from serving on advisory committees governed by the Federal Advisory Committee Act (FACA).

In order to be appointed by the Secretary of Agriculture to serve on a board or committee, each applicant must clear all stages of the vetting process. Vetting is a comprehensive personal and professional background investigation that specifically includes, but is not limited to, an analysis of each candidate's criminal history, bankruptcy filings, liens and judgments, affiliations and associations, lobbyist status, and prior involvement with USDA. This process is used to ensure that the finest candidates are selected to represent the interests of the United States Department of Agriculture.

Submit full nomination packages with completed AD 755 background information forms and resumes no later than January 7, 2013. Final selection of members will be made by the Secretary from nominations submitted. All nomination materials should be mailed in a single, complete package to: Paul Zankowski, Commissioner; Plant