

Notices

Federal Register

Vol. 86, No. 156

Tuesday, August 17, 2021

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

August 11, 2021.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: 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; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and 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. Comments regarding these information collections are best assured of having their full effect if received by September 16, 2021. 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.

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.

Agricultural Marketing Service

Title: Export Inspection and Weighing Waiver for High Quality Specialty Grains Transported in Containers Under the Authority of the United States Grain Standards Act.

OMB Control Number: 0581–0306.
Summary of Collection: The United States Grain Standards Act (USGSA), with few exceptions, requires official certification of export grain sold by grade. The regulations promulgating the USGSA require specific information collection and record-keeping necessary to enforce provisions in the statute. On July 29, 2011, Federal Grain Inspection Service (FGIS) published a final rule in the **Federal Register** (76 FR 45397) to amend the regulations under the USGSA to make permanent a waiver that expired on July 31, 2012 for high quality specialty grains exported in containers from the mandatory inspection and weighing requirements of the USGSA. To ensure that exporters of high-quality specialty grains comply with this waiver, FGIS is asking exporters to maintain records generated during their normal course of business that pertain to these shipments and make these documents available to the FGIS upon request. FGIS has no other means available to monitor the grain industry's compliance with provisions of this waiver.

Need and Use of the Information: To comply with the waiver of the mandatory inspection and weighing requirement, FGIS is asking exporters of high quality specialty grains transported in containers to maintain records generated during their normal course of business that pertain to these shipments and make these documents available to FGIS upon request. Experience has shown that the U.S. grain industry maintains grain contracts that specify quality parameters agreed to by buyers and sellers of grain. FGIS believes that grain contracts would provide sufficient information to determine if exporters of high-quality specialty grain are complying with the waiver. This information collection requirement is essential for FGIS to enforce provisions set forth in the USGSA. FGIS intends to request copies of the relevant documents annually to ensure

compliance with this waiver. FGIS also will require exporters to maintain records for a 3-year period.

Description of Respondents: Business or other for-profit.

Number of Respondents: 40.

Frequency of Responses: Recordkeeping.

Total Burden Hours: 240.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2021–17548 Filed 8–16–21; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

[Docket Number: USDA–2021–0007]

Privacy Act of 1974; System of Records

AGENCY: Office of the Assistant Secretary for Civil Rights (OASCR), USDA.

ACTION: Notice of a new system of records.

SUMMARY: Pursuant to the Privacy Act of 1974 and Office of Management and Budget Circular No. A–108, the U.S. Department of Agriculture (USDA) proposes to create a new system of records, USDA/OASCR–2, Civil Rights Management System (CRMS). The Office of the Assistant Secretary for Civil Rights (OASCR) maintains CRMS, which contains program discrimination complaints, alleging unlawful discrimination arising within programs or activities conducted or assisted by USDA. The notice also conveys updates to the system location, categories of records, routine uses (one of which permits records to be provided to the National Archives and Records Administration), storage, safeguards, retention and disposal, system manager and address, notification procedures, records access, and contesting procedures.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this system of records is subject to a 30-day notice and comment period in which to comment on the routine uses described in the routine uses section of this system of records notice. Please submit your comments by September 16, 2021.

ADDRESSES: You may submit comments by either of the following methods:

—*Federal eRulemaking Portal*: Go to: <http://www.regulations.gov/#!docketDetail:D=USDA-2021-0007>.

—*Postal Mail/Commercial Delivery*: Please send one copy of our comment to Docket No. USDA–2021–0007, OASCR, Center for Civil Rights Enforcement, 1400 Independence Ave. SW, Mailstop 9410, Washington, DC 20250, or at ProgramComplaints@usda.gov or Executive Director at Center for Civil Rights Enforcement, OASCR, USDA, 1400 Independence Ave. SW, Mailstop 9410, Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: For general questions, please contact: Sandra Hammond, USDA, OASCR, Center for Civil Rights Enforcement, 1400 Independence Avenue SW, Mailstop 9410, Washington, DC 20250, or at ProgramComplaints@usda.gov. or Executive Director at Center for Civil Rights Enforcement, OASCR, USDA, 1400 Independence Avenue SW, Mailstop 9410, Washington, DC 20250.

For Privacy Act Questions: Please contact Michele Washington, michele.washington@usda.gov and for USDA Privacy Act general questions, please contact:

Sm.ocio.cio.usdaprivacy@usda.gov.

SUPPLEMENTARY INFORMATION: The CRMS provides core support for the mission of Civil Rights (CR) offices, both at the department and sub-agency levels. The CRMS serves management needs of agency heads who are, by law, charged with the responsibility for agency compliance with civil rights laws and regulations. CRMS is a cloud-based enterprise-wide complaint tracking system, consisting of a suite of applications supporting USDA and all Department agencies by tracking complaints. Additionally, CRMS adheres to the regulatory reporting requirements and provides data for Civil Rights Reporting. The program discrimination complaints process supports enforcement of Title VI of the Civil Rights Act of 1964, the Rehabilitation Act, the implementing regulations at 7 CFR part 15, and any other applicable anti-discrimination statutes, rules, and regulations.

The CRMS, formerly known as PCMS, will be housed on the Salesforce platform supported by USDA Office of the Chief Information Officer (OCIO).

The proposed revisions to the notice convey updates to the system location, categories of records, storage, safeguards, retention and disposal, system manager and address, notification procedures, records access, and contesting procedures.

USDA/OASCR will share information from the system in accordance with the

requirements of the Privacy Act. A full list of routine uses is included in the routine uses section of the document published with this notice.

A report on the new system of records, required by 5 U.S.C. 552a(r), as implemented by Office of Management and Budget Circular A–108, was sent to the Chairman, Committee on Homeland Security and Government Affairs, United States Senate; the Chairwoman, Committee on Oversight and Reform, House of Representatives; and the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

Done in Washington, DC.

Winona Lake Scott,

Associate Assistant Secretary for Civil Rights.

SYSTEM NAME AND NUMBER:

USDA/OASCR–2, Civil Rights Management System, (CRMS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

OASCR maintains the records in this system and stores a hard copy at the National Archives and Records Administration. The electronic record systems are maintained on USDA servers physically located at the United States Department of Agriculture, 1400 Independence Drive, Washington, DC 20024. USDA records are housed within the Salesforce platform, managed and maintained by USDA/Office of the Chief Information Officer. These records may reside at another location within the Continental United States. Additionally, USDA employees may maintain hard or electronic copies at USDA offices.

SYSTEM MANAGER(S):

Executive Director, Center for Civil Rights Enforcement, OASCR, USDA, 1400 Independence Avenue SW, Washington, DC 20250, 202–720–8106.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 42 U.S.C. 2000d, *et seq.*, 42 U.S.C. 3608(d); 42 U.S.C. 12101, *et seq.*; 20 U.S.C. 1681, *et seq.*; 29 U.S.C. 794; 15 U.S.C. 1691, *et seq.*; and 7 U.S.C. 2011, *et seq.*

PURPOSE(S) OF THE SYSTEM:

CRMS provides core support for the mission of Civil Rights (CR) offices, both at the department and sub-agency levels. CRMS serves management needs of agency heads who are, by law, charged with the responsibility for agency compliance with civil rights laws and regulations. CRMS is a cloud-based enterprise-wide complaint tracking system, consisting of a suite of

applications supporting USDA and all Department agencies by tracking complaints. CRMS will facilitate the improved management of program discrimination complaints.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by this system include, but not limited to, individuals who have filed complaints of program discrimination by USDA, and the Department and sub-agencies. In addition, the system may capture information about individuals referenced or identified in records created or compiled as part of the process of documenting and processing program discrimination complaints.

Individuals who may have information in the system include contractors, complainants, witnesses, investigators, third parties, Administrative Judges, legal representatives, applicants for employment who have filed informal or formal complaints alleging discrimination, customers, members of the public who have filed a complaint, and others who have participated or otherwise been involved in proceedings relating to a program discrimination complaint.

Individuals, even if they are not users of the USDA/OASCR–2, who are mentioned or referenced in any documents entered into USDA/OASCR–2 by a user are also covered. This group may include, but is not limited to: Vendors, agents and other business personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Categories of records in the system consists of records created or compiled as part of the process of documenting and processing program discrimination complaints. Such records include the following: Records created or compiled in response to complainants' statements of alleged discrimination; respondents' statements; witnesses' statements; names and addresses of complainants and respondents; personal, employment, or program participation information; medical records; conciliation and settlement agreements; related correspondence; initial and final determinations; and any other records related to the intake, investigation, or adjudication of discrimination complaints.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from the covered individuals as follow: Members of the public, USDA employees, contractors, USDA applicants, and other individuals or

entities participating in program complaint matters or is taken from other program discrimination complaints.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, records contained in this system may be disclosed outside USDA as a routine use pursuant to 5 U.S.C. 552a(b)(3), to the extent that such uses are compatible with the purposes for which the information was collected. Such permitted routine uses include the following:

A. To the Department of Justice (DOJ) when: (a) USDA or any component thereof; or (b) any employee of USDA in his or her official capacity where the Department of Justice has agreed to represent the employee; or (c) the United States Government, is a party to litigation or has an interests in such litigation, and USDA determines that the records are both relevant and necessary to the litigation and the use of such records by the Department of Justice is deemed by USDA to be for a purpose that is compatible with the purpose for which USDA collected the records.

B. To a congressional office in response to an inquiry from that Congressional office made at the written request of the individual about whom the record pertains.

C. To the United States Civil Rights Commission in response to its request for information, per 42 U.S.C. 1975a.

D. To the National Archives and Records Administration (NARA) or other Federal government agencies pursuant to records management activities being conducted under 44 U.S.C. 2904 and 2906.

E. To appropriate agencies, entities, and persons when (1) USDA suspects or has confirmed that there has been a breach of the system of records; (2) USDA has determined that as a result of the suspected or confirmed breach, there is a risk of harm to individuals, USDA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure to such agencies, entities, and persons is reasonably necessary to assist in connection with USDA's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

F. To another Federal agency or Federal entity, when information from this system of records is reasonably necessary to assist the recipient agency

or entity in (1) responding to a suspected or confirmed breach; or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, USDA may disclose the record to the appropriate Federal, State, local, foreign, Tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative or prosecutive responsibility of the receiving entity.

G. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the USDA or other Agency representing the USDA determines that the records are both relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

H. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the USDA, when necessary to accomplish an agency function related to this system of records.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

OASCR, Records Management Services (RMS) is responsible for maintaining its program complaint records. These records are electronically stored in CRMS and OCIO. They are under the care and maintenance of OASCR.

Records maintained by OASCR are accessioned to NARA, as permanent records. Electronic records are stored at the USDA OCIO. USDA employees also may maintain paper or electronic copies at USDA offices.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Electronic and paper records are indexed by name of complainant,

agency, and address. Paper records are retrieved from NARA. Electronic records are retrieved from USDA OCIO Data Center. Electronic and/or paper records are retrieved from USDA employees at USDA offices.

To retrieve an individual record, an employee (with approval) would access CRMS or OCIO legacy database for an individual complaint file and enter the complainant's last and first name or the case number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained indefinitely in accordance with NARA's General Records Schedule 16. OASCR is working closely with the National Archives and Records Administration to update retention schedules. Records will be retained indefinitely pending NARA's approval of a records retention schedule.

USDA's General Records Schedule covers records-documenting activities related to managing relationships among the agency, its employees, and its unions and bargaining units.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Physical security measures are in place to prevent unauthorized persons from accessing OASCR. Electronic records are stored on secure file servers. OASCR includes physical access controls, firewalls, intrusion detection systems, and system auditing to prevent unauthorized access. To access OASCR, users are required to complete the USDA eAuthentication registration process and are validated through role-based authentication and authorization.

Paper files are kept in a safeguarded environment with controlled access only by authorized personnel. All OASCR users are also required to complete appropriate training to learn requirements for safeguarding records maintained under the Privacy Act. Digital Infrastructure Services Center (DISC) safeguards records and ensures that privacy requirements are met in accordance with Federal and cyber security mandates. DISC provides continuous storage management, security administration, regular dataset backups, and contingency planning/disaster recovery. DISC employs automated mechanisms to restrict access to media storage areas. This is done by requiring a successful scan from the Facility Security System prior to entrance. The Facility Security System requires an employee to successfully scan both their badge and a fingerprint to access areas containing stored media. The DISC also employs automated

mechanisms to audit access attempts and access granted into these areas.

RECORD ACCESS PROCEDURES:

All requests for access to records must be in writing and should be submitted to the OASCR FOIA Officer, 1400 Independence Avenue SW, Washington, DC 20250; or by email at USDAFOIA@usda.gov. In accordance with 7 CFR part 1, subpart G, § 1.112 (Procedures for requests pertaining to individual records in a record system), the request must include the full name of the individual making the request; the name of the system of records; and preference of inspection, in person or by mail. In accordance with 7 CFR 1.113, prior to inspection of the records, the requester shall present sufficient identification (e.g., driver's license, employee identification card, social security card, credit cards) to establish that the requester is the individual to whom the records pertain. In addition, if an individual submitting a request for access wishes to be supplied with copies of the records by mail, the requester must include with his or her request sufficient data for the agency to verify the requester's identity.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records maintained in this system of records must direct their request to the address indicated in the "RECORD ACCESS PROCEDURES" paragraph, above and must follow the procedures set forth in 7 CFR part 1, subpart G, § 1.116 (Request for correction or amendment to record). All requests must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record.

NOTIFICATION PROCEDURES:

Individuals may be notified if a record in this system of records pertains to them when the individuals request information utilizing the same procedures as those identified in the "RECORD ACCESS PROCEDURES" paragraph, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.

[FR Doc. 2021-17569 Filed 8-16-21; 8:45 am]

BILLING CODE 3410-9R-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2020-0023]

BASF Corporation; Availability of a Draft Plant Pest Risk Assessment and Draft Environmental Assessment for Determination of Nonregulated Status of Plant-Parasitic Nematode-Protected and Herbicide Tolerant Soybean

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has prepared a draft plant pest risk assessment and draft environmental assessment regarding a request from BASF Corporation seeking a determination of nonregulated status for soybean event GMB151, which has been developed using genetic engineering for resistance to the plant-parasitic nematode, soybean cyst nematode (*Heterodera glycines*), and for tolerance to 4-hydroxyphenylpyruvate dioxygenase (HPPD-4) inhibitor herbicides. We are making these documents available for public review and comment.

DATES: We will consider all comments that we receive on or before September 16, 2021

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov. Enter APHIS-2020-0023 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2020-0023, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road, Unit 118, Riverdale, MD 20737-1238.

The petition, draft environmental assessment, draft plant pest risk assessment, and any comments we receive on this docket may be viewed at www.regulations.gov, or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 7997039 before coming.

Supporting documents for this petition are also available on the APHIS website at [https://www.aphis.usda.gov/aphis/ourfocus/biotechnology/permits-](https://www.aphis.usda.gov/aphis/ourfocus/biotechnology/permits-notifications-petitions/petitions/petition-status)

[notifications-petitions/petitions/petition-status](https://www.aphis.usda.gov/aphis/ourfocus/biotechnology/permits-notifications-petitions/petitions/petition-status).

FOR FURTHER INFORMATION CONTACT: Ms. Cindy Eck, Biotechnology Regulatory Services, APHIS, 4700 River Road, Unit 147, Riverdale, MD 20737-1236; (301) 851-3892, email: cynthia.a.eck@usda.gov.

SUPPLEMENTARY INFORMATION: Under the authority of the plant pest provisions of the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the regulations in 7 CFR part 340, "Movement of Organisms Modified or Produced Through Genetic Engineering," regulate, among other things, the importation, interstate movement, or release into the environment of organisms modified or produced through genetic engineering that are plant pests or pose a plausible plant pest risk.

The petition for nonregulated status described in this notice is being evaluated under the version of the regulations effective at the time that it was received. The Animal and Plant Health Inspection Service (APHIS) issued a final rule, published in the **Federal Register** on May 18, 2020 (85 FR 29790-29838, Docket No. APHIS-2018-0034),¹ revising 7 CFR part 340; however, the final rule is being implemented in phases. The new Regulatory Status Review (RSR) process, which replaces the petition for determination of nonregulated status process, became effective on April 5, 2021 for corn, soybean, cotton, potato, tomato, and alfalfa. The RSR process is effective for all crops as of October 1, 2021. However, "[u]ntil RSR is available for a particular crop . . . APHIS will continue to receive petitions for determination of nonregulated status for the crop in accordance with the [legacy] regulations at 7 CFR 340.6." (85 FR 29815). This petition for a determination of nonregulated status is being evaluated in accordance with the regulations at 7 CFR 340.6 (2020) as it was received by APHIS on November 13, 2019.

BASF Corporation (BASF) has submitted a petition (APHIS Petition Number 19-317-01p) to APHIS seeking a determination of nonregulated status under 7 CFR part 340, for soybean event GMB151 which has been developed using genetic engineering for resistance to the plant-parasitic nematode, soybean cyst nematode (*Heterodera glycines*), and for tolerance to 4-hydroxyphenylpyruvate dioxygenase (HPPD-4) inhibitor herbicides. The petition states that GMB151 soybean is

¹ To view the final rule, go to www.regulations.gov and enter APHIS-2018-0034 in the Search field.