

### Small Numbers

As noted above, only small numbers of incidental take may be authorized under sections 101(a)(5)(A) and (D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. When the predicted number of individuals to be taken is fewer than one-third of the species or stock abundance, the take is considered to be of small numbers. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

The amount of take NMFS has authorized is below one third of the estimated stock abundance for all species (in fact, take of individuals is less than 6 percent of the abundance of the affected stocks for these species, see Table 7). The figures presented in Table 7 are likely conservative estimates as they assume all takes are of different individual animals which is likely not to be the case. Some individuals may return multiple times in a day, but PSOs will count them as separate takes if they cannot be individually identified.

Based on the analysis contained herein of the planned survey activities (including the mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

### Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks will not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

### National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

### Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS Office of Protected Resources (OPR) consults internally whenever we propose to authorize take for endangered or threatened species.

NMFS OPR has authorized the incidental take of four species of marine mammals which are listed under the ESA, including the North Atlantic right, fin, sei, and sperm whale, and has determined that these activities fall within the scope of activities analyzed in GARFO's programmatic consultation regarding geophysical surveys along the U.S. Atlantic coast in the three Atlantic Renewable Energy Regions (completed June 29, 2021; revised September 2021).

### Authorization

NMFS has issued an IHA to Orsted for potential harassment of small numbers of 16 marine mammal species incidental to HRG site characterization surveys off the coast of New York and Rhode Island, provided the previously mentioned mitigation, monitoring, and reporting requirements are followed.

Dated: October 6, 2022.

### Catherine Marzin,

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

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD-2022-OS-0116]

### Proposed Collection; Comment Request

**AGENCY:** Office of the Under Secretary of Defense for Policy, Department of Defense (DoD).

**ACTION:** 60-Day information collection notice.

**SUMMARY:** In compliance with the *Paperwork Reduction Act of 1995*, and as directed by the *National Defense Authorization Act for Fiscal Year 2022*, the Under Secretary of Defense for Policy announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on this statutory collection requirement as to: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by December 12, 2022.

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

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

*Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 08D09, Alexandria, VA 22350-1700.

*Instructions:* All submissions received must include the agency name, docket number and title 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:** To request more information on this

proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Ms. Angela Duncan at the Department of Defense, Washington Headquarters Services, ATTN: Executive Services Directorate, Directives Division, 4800 Mark Center Drive, Suite 03F09-09, Alexandria, VA 22350-3100 or call 571-372-7574.

**SUPPLEMENTARY INFORMATION:**

*Title; Associated Form; and OMB Number:* Anomalous Health Incidents Secure Reporting Tool; OMB Control Number 0704-AHIT.

*Needs and Uses:* As directed by Section 6603 (d) of the National Defense Authorization Act for Fiscal Year 2022, the DoD is directed to develop a process to provide a secure mechanism for personnel to self-report any suspected exposure that could be an anomalous health incident (AHI). The respondents to the AHI Secure Reporting Tool are military service members, DoD civilian employees, contractors, and any DoD family member who may have encountered an AHI. The secure reporting tool is a web based application that will provide DoD affiliated individuals affected by an AHI a secure self-reporting mechanism, through a *DoD.gov* website, that will trigger an appropriate DoD response for medical care and investigation requirements.

*Affected Public:* Individuals or households.

*Annual Burden Hours:* 50 hours.

*Number of Respondents:* 100.

*Responses per Respondent:* 1.

*Annual Responses:* 100.

*Average Burden per Response:* 30 minutes.

*Frequency:* 1.

Dated: October 6, 2022.

**Kayyonne T. Marston,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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**DEPARTMENT OF EDUCATION**

**Reopening; Application for New Awards; Basic Needs for Postsecondary Students Program**

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice; reopening of application period.

**SUMMARY:** On August 2, 2022, the Department of Education (Department) published in the **Federal Register** a notice inviting applications (NIA) for new awards for fiscal year (FY) 2022 for

the Basic Needs for Postsecondary Students (Basic Needs) Program, Assistance Listing Number 84.116N. This notice reopens this competition to allow more time for the preparation and submission of applications by eligible applicants that are affected applicants (as described in Eligibility below), located in Puerto Rico, portions of Alaska covered by a Presidential major disaster declaration, and areas under a Presidential major disaster or emergency declaration resulting from Hurricane Ian, which includes Florida, the Seminole Tribe of Florida, North Carolina, and South Carolina.

**DATES:** *Deadline for Transmittal of Applications for Affected Applicants:* October 14, 2022.

**FOR FURTHER INFORMATION CONTACT:**

Njeri Clark, U.S. Department of Education, 400 Maryland Avenue SW, room 2B186, Washington, DC 20202-4260. Telephone: (202) 453-6224. Email: [Njeri.Clark@ed.gov](mailto:Njeri.Clark@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

**SUPPLEMENTARY INFORMATION:** On August 2, 2022, we published in the **Federal Register** the NIA for the Basic Needs Program (87 FR 47201). Under the NIA, applications were due on October 3, 2022. We are reopening this competition for affected applicants described below to allow them more time—until October 14, 2022—to prepare and submit their applications.

**Eligibility:**

The reopening of this competition applies to eligible applicants under the Basic Needs competition that are affected applicants. An eligible applicant for this competition is defined in the NIA. To qualify as an affected applicant, the applicant must have a mailing address that is located in a jurisdiction that is part of one of the applicable federally declared disaster areas and must provide appropriate supporting documentation, if requested.

The affected areas are those in which assistance has been authorized under the following FEMA declarations:

- Puerto Rico (<https://www.fema.gov/disaster/4671>);
- Portions of Alaska covered by a Presidential major disaster declaration (<https://www.fema.gov/disaster/4672>);
- Florida (<https://www.fema.gov/disaster/4673>);
- The Seminole Tribe of Florida (<https://www.fema.gov/disaster/4675>);
- North Carolina (<https://www.fema.gov/disaster/3586>); and
- South Carolina (<https://www.fema.gov/disaster/3585>).

Affected applicants that have already timely submitted applications under the FY 2022 Basic Needs competition may submit a new application, but they are not required to do so. If a new application is not submitted, the Department will use the application that was submitted by the original deadline. If a new application is submitted, the Department will consider the application that is last submitted and timely received. Applications that did not meet the original deadline may be resubmitted to be considered for review.

We are not reopening the application period for all applicants. Thus, applications from applicants that are not affected applicants may not be submitted as part of this reopened period for submission of applications.

**Note:** All information in the NIA remains the same, except for the deadline date for affected applicants.

*Program Authority:* 20 U.S.C. 1138-1138d; and the Explanatory Statement accompanying Division H of the Consolidated Appropriations Act, 2022 (Pub. L. 117-103) (Explanatory Statement).

*Accessible Format:* On request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this notice, the NIA, and a copy of the application in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at [www.govinfo.gov](http://www.govinfo.gov). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Nasser Paydar,**

*Assistant Secretary for Postsecondary Education.*

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