

- Continued implementation of the FCRPS Biological Opinion, including hydropower system operations such as cool-water releases from Dworshak Dam to maintain adequate migration and rearing conditions in the lower Snake River, summer flow augmentation and summer spill at multiple projects to maintain migration and passage conditions, and operations at Lower Granite Dam to address adult passage blockages caused by warm surface waters entering the fish ladders.

- Continued implementation of Lower Snake River Programmatic Sediment Management Plan measures to reduce impacts of reservoir and river channel dredging and disposal on Snake River fall-run Chinook.

- Continued implementation of recovery plan actions in tributary and lower mainstem habitats to maintain and improve spawning and rearing potential for Snake River fall-run Chinook (Although these actions are generally focused on Snake River spring/summer Chinook salmon and steelhead and, therefore, located above fall-run Chinook spawning and rearing habitats, the actions have cumulative beneficial effects on downstream habitats).

- Large-scale restoration projects in the Tucannon River, which have been highly effective in reestablishing channel functions related to temperature, floodplain connectivity, channel morphology, and habitat complexity. These key protective efforts were largely possible thanks to the persistence and support from the Snake River Salmon Recovery Board, Washington Department of Fish and Wildlife, and local restoration partners.

Programs such as these are critical if we are to address the threats and limiting factors facing the ESU to improve its viability. However, at this time, we conclude that these and other protective efforts are insufficient to ameliorate the threats facing the Snake River fall-run Chinook ESU to the extent where delisting would be warranted.

Final Determination

The petitioners' arguments that the Snake River fall-run Chinook ESU should be delisted are based in large measure upon the prevalence of hatchery-produced fish and their view that we impermissibly emphasize the naturally spawned component of the ESU in our viability assessments. We disagree and conclude that, consistent with the Hatchery Listing Policy and the Ninth Circuit Court of Appeals ruling in *Trout Unlimited v. Lohn*, hatchery fish should be evaluated in the context of

their contributions to the conservation of the naturally spawned population(s).

As noted above (see *Viability Criteria and Recovery Planning*), the Technical Recovery Team viability criteria (ICTRT 2007) and the proposed recovery scenarios articulated in the Proposed Recovery Plan (NMFS 2015) provide useful guides for evaluating the conditions that must be met for the delisting of Snake River fall-run Chinook to be warranted. All the viability criteria and proposed recovery scenarios conclude that the extant Lower Mainstem Snake River population must be at least highly viable. The Northwest Fisheries Science Center report (NWFS 2015) concluded that the Lower Mainstem Snake River population is currently viable, but is less than highly viable. In other words, the current risk level of the Snake River fall-run Chinook ESU does not meet the status described in the Technical Recovery Team report and the Proposed Recovery Plan as necessary for the recovery of the ESU.

Additionally, based on our evaluation of the five section 4(a)(1) factors, above, we conclude that historical habitat loss, continued degradation and modification of habitat, and the inadequacy of regulatory mechanisms continue to pose threats to, and limit the recovery potential of, the Snake River fall-run Chinook ESU. Disease, predation, and overutilization do not pose threats to the ESU at this time. We also find that the high levels of uncertainty associated with projecting the effects of other natural or man-made factors affecting the continued existence of the ESU represent a threat to the persistence and recovery potential of the Snake River fall-run Chinook ESU. This latter uncertainty, particularly that conferred by the prevalence and broad distribution of hatchery-origin fish across all major spawning areas, needs to be addressed if we are to be able to assess the viability of the extant Lower Mainstem Snake River population with sufficient certainty. After reviewing efforts being made to protect salmonids and their habitat in the Snake River Basin, we conclude that these efforts are insufficient to ameliorate the threats facing the Snake River fall-run Chinook ESU to the point where the species would warrant delisting.

Based on our review of the species' viability, the five section 4(a)(1) factors, and efforts being made to protect the species, we conclude that the Snake River fall-run Chinook ESU is likely to become an endangered species throughout all or a significant portion of its range in the foreseeable future. We conclude that the petitioned action to

delist the Snake River fall-run Chinook ESU is not warranted at this time, and as such it shall retain its status as a threatened species under the ESA.

References

A complete list of all references cited herein is available upon request (see **FOR FURTHER INFORMATION CONTACT**).

Authority

The Authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: May 19, 2016.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2016-12453 Filed 5-25-16; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Submission for OMB Review; Comment Request; "Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures"

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, Commerce.

Title: Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

OMB Control Number: 0651-0024.

Form Number(s):

- PTO/SB/93.

Type of Request: Regular.

Number of Respondents: 27,200.

Estimated Time per Response: The USPTO estimates that it will take approximately 6 minutes (0.10 hours) to 6 hours to complete a single item in this collection. This includes the time to gather the necessary information, create the documents, and submit the completed request to the USPTO.

Burden Hours: 152,285 hours.

Cost Burden: \$1,815,457.50.

Needs and Uses: Patent applications that contain nucleotide and/or amino acid sequence disclosures must include a copy of the sequence listing in accordance with the requirements in 37 CFR 1.821-1.825. Applicants submit copies of sequence listings for both U.S.

and international biotechnology patent applications. The USPTO uses the sequence listings during the examination process to determine the patentability of the associated patent application. The USPTO also uses the sequence listings to support publication of patent applications and issued patents. Sequence listings are searchable after publication.

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.

Once submitted, the request will be publicly available in electronic format through reginfo.gov. Follow the instructions on the Web site to view Department of Commerce collections currently under review by OMB.

Further information can be obtained by:

- *Email:* InformationCollection@uspto.gov. Include "0651-0024 copy request" in the subject line of the message.

- *Mail:* Marcie Lovett, Records Management Division Director, 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 June 27, 2016 to Nicholas A. Fraser, OMB Desk Officer, via email to Nicholas_A_Fraser@omb.eop.gov, or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: May 20, 2016.

Marcie Lovett,

*Records Management Division Director,
OCIO, United States Patent and Trademark
Office.*

[FR Doc. 2016-12477 Filed 5-25-16; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Revised Non-Foreign Overseas Per Diem Rates

AGENCY: Defense Travel Management Office, DoD.

ACTION: Notice of revised non-foreign overseas per diem rates.

SUMMARY: The Defense Travel Management Office is publishing Civilian Personnel Per Diem Bulletin Number 303. This bulletin lists revisions in the per diem rates prescribed for U.S. Government

employees for official travel in Alaska, Hawaii, Puerto Rico, the Northern Mariana Islands and Possessions of the United States when applicable. AEA changes announced in Bulletin Number 194 remain in effect. Bulletin Number 303 is being published in the **Federal Register** to assure that travelers are paid per diem at the most current rates.

DATES: *Effective Date:* June 1, 2016.

FOR FURTHER INFORMATION CONTACT: Ms. Sonia Malik, 571-372-1276.

SUPPLEMENTARY INFORMATION: This document gives notice of revisions in per diem rates prescribed by the Defense Travel Management Office for non-foreign areas outside the contiguous United States. It supersedes Civilian Personnel Per Diem Bulletin Number 302. Per Diem Bulletins published periodically in the **Federal Register** now constitute the only notification of revisions in per diem rates to agencies and establishments outside the Department of Defense. For more information or questions about per diem rates, please contact your local travel office. Civilian Bulletin 303 includes updated rates for Alaska.

Dated: May 23, 2016.

Aaron Siegel,

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

BILLING CODE 5001-06-P