

252, 266 (D.C. Cir. 1982), and *Board of Trade v. Commodity Futures Trading Comm'n*, 627 F.2d 392, 403 (D.C. Cir. 1980)); see also *Nat'l Ass'n of Home Builders v. Norton*, 309 F.3d 26, 38 (D.C. Cir. 2002) (stating "information is 'commercial' under [Exemption 4] if, 'in and of itself,' it serves a 'commercial function' or is of a 'commercial nature.'").

The specific and detailed discussion that you provide must explain how the information relates to your commercial interest and the commercial function the information serves or the commercial nature of the information.

The test to determine if information is "privileged" or "confidential" under Exemption 4 depends on whether the submitter was required to provide the information to the Government or whether the submitter voluntarily disclosed the information to the Government. *Bartholdi Cable. Co. v. FCC*, 114 F.3d 274, 281 (D.C. Cir. 1997). Where you voluntarily provide information to the Government, the information will be considered confidential for the purposes of Exemption 4 "if it is of a kind that would customarily not be released to the public by the person from whom it was obtained." *Id.* (citing *Critical Mass Energy Project v. Nuclear Regulatory Commission*, 975 F.2d 871, 879 (D.C. Cir. 1992) (*en banc*)). Alternatively, where the Government requires you to provide information (as is the case for the information at hand), then commercial or financial information generally is "confidential" under Exemption 4 "if disclosure . . . is likely to have either of the following effects: (1) Impair the Government's ability to obtain necessary information in the future; or (2) cause substantial harm to the competitive position of the person from whom it was obtained." *National Parks and Conservation Assoc. v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974). A showing of substantial competitive harm is necessary only where the information in question is required to be submitted to the Government.

You must explain whether you voluntarily provided the information in question or whether the Government required the information to be submitted. Should you assert that you voluntarily submitted the information, you must also explain how the information in question fits into a category of information that you customarily do not release to the public. If you assert that the Government required you to submit the information in question (as is the case for the information at hand), then you must

explain how substantial competitive or other business harm would likely result from release.

To demonstrate that disclosure is likely to cause substantial competitive harm, there must be evidence that: (1) You face actual competition; and (2) substantial competitive injury would likely result from disclosure. See *Lion Raisins v. USDA*, 354 F.3d 1072, 1079 (9th Cir. 2004); *Inner City Press/Community on the Move v. Federal Reserve System*, 380 F. Supp. 2d 211, 220 (S.D.N.Y. 2005); *GC Micro Corp. v. Def. Logistics Agency*, 33 F.3d 1109 (9th Cir. 1994); *National Parks & Conservation Association v. Kleppe*, 547 F.2d 673, 679 (D.C. Cir. 1976) ("*National Parks II*").

In order for the Department to fully evaluate whether you are likely to suffer substantial competitive injury from disclosure of the withheld information, any objections on this basis must include a detailed explanation of who your competitors are and the nature of the competition. You must also explain with specificity how disclosure of *each category* of information that you object to disclosing on this basis would provide your competitors with valuable insights into your operation, give competitors pricing advantages over you, or unfairly give advantage to competitors in future business negotiations, or any other information that sufficiently explains the substantial competitive injury that would likely result from disclosure. *National Parks II*, 547 F.2d at 684; *Center for Public Integrity v. Dep't of Energy*, 191 F. Supp. 2d 187, 194 (D.D.C. 2002); *Judicial Watch, Inc. v. Export-Import Bank*, 108 F. Supp. 2d 19, 29 (D.D.C. 2000). Additionally, as noted above, you must also certify that any information you object to disclosing is confidential, you have not disclosed the information to the public, and the information is not routinely available to the public from other sources. See 43 CFR 2.30–2.31.

As a final matter, please be aware that the FOIA requires that "any reasonably segregable portion of a record" must be released after appropriate application of the FOIA's nine exemptions. See 5 U.S.C. 552(b) (discussion after exemptions). In addition, please note that, where a record contains both exempt and nonexempt material, the bureau will generally separate and release the nonexempt information when responding to a FOIA request. 43 CFR 2.25. You should be mindful of this segregability requirement in formulating any objections you may have to the disclosure of the information sought by CBD.

III. Submission of Objections

Should you wish to object to disclosure of any of the requested records (or portions thereof), the Department must receive from you all of the information requested above by no later than the date specified above in **DATES**.

If you do not submit any objections to the disclosure of the information (or portions thereof) to CBD on or before the date specified above in **DATES**, the Department will presume that you do not object to such disclosure and may release the information without redaction. Please note that the Department, not you, is responsible for deciding whether the information should be released or withheld. If we decide to release records over your objections, we will inform you at least 10 business days in advance of the intended release.

Please note that any comments you submit to the Department objecting to the disclosure of the documents may be subject to disclosure under the FOIA if the Department receives a FOIA request for them. In the event your comments contain commercial or financial information and a requester asks for the comments under the FOIA, the Department will notify you and give you an opportunity to comment on the disclosure of such information.

Dated: November 14, 2016.

Stephen Guertin,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 2016-28379 Filed 11-23-16; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[178D0102DM/DS64600000/
DLSN00000.000000/DX.64601]

Notice of Senior Executive Service Performance Review Board Appointments

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: This notice provides the names of individuals who have been appointed to serve as members of the Department of the Interior Senior Executive Service (SES) Performance Review Board.

DATES: These appointments are effective upon publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Raymond Limon, Director, Office of Human Resources, Office of the

Secretary, Department of the Interior,
1849 C Street NW., Washington, DC
20240, Telephone Number: (202) 208-
5310.

SUPPLEMENTARY INFORMATION: The
members of the Department of the
Interior SES Performance Review Board
are as follows:

ALLEN, MATTHEW R.
ANDREW, JONATHAN M.
ANDROFF, BLAKE J.
APPLEGATE, JAMES D. R.
ARAGON, JOSE RAMON
ARROYO, BRYAN
AUSTIN, STANLEY J.
AUSTIN, TERESA MADEYA
BAIL, KRISTIN MARA
BARON, JILL S.
BATHRICK, MARK L.
BEALL, JAMES W.
BEAN, MICHAEL J.
BEARPAW, GEORGE WATIE
BEAUDREAU, TOMMY P.
BECK, RICHARD T.
BECKER, BRIAN D.
BELIN, ALLETTA D.
BELNAP, JAYNE
BENGE, SHAWN T.
BERRIGAN, MICHAEL J.
BERRY, DAVID A.
BETANCOURT, JULIO L.
BLACK, MICHAEL S.
BLAIR, JOHN WATSON
BLANCHARD, MARY JOSIE
BLASER, THOMAS A.
BLEDSOE DOWNES, ANN MARIE
BOHLKE, JOHN KARL F. P.
BOLTON, HANNIBAL
BOWKER, BRYAN L.
BRANUM, LISA A.
BROWN, LAURA B.
BROWN, WILLIAM Y.
BRZEZINSKI, MARK F.
BUCKNER, SHAWN M.
BUFFA, NICOLE NMN
BURCH, MELVIN E.
BURCKMAN, JAMES N.
BURDEN, JOHN W.
BURKETT, VIRGINIA
BURNS, SYLVIA W.
CALDWELL, MICHAEL A.
CARDINALE, RICHARD T.
CARL, LEON M.
CARTER-PFISTERER, CAROLE
CASH, CASSIUS M.
CELATA, MICHAEL A.
CHAVARRIA, GABRIELA DEL C.
CHOUET, BERNARD A.
CHRISTOPHER, TERESA R.
CLARK, HORACE G.
CLEMENT, JOEL P.
CLINE, DONALD WALTER
CLOERN, JAMES E.
CLUCK, RODNEY E.
COLLETT, TIMOTHY S.
COMPTON, JEFFREY S.
CONNELL, JAMIE E.
COPLIN, TYLER B. II
CORDOVA-HARRISON, ELIZABE
CRAFF, ROBERT C.
CRIBLEY, BUD C.
CRONIN, THOMAS M.
CRUICKSHANK, WALTER D.
CRUZAN, DARREN A.

CUMMINGS, JODY ALLEN
CUNNINGHAM, WILLIAM L.
DABOLT, THOMAS O.
DALTON, KENNETH A.
DARNELL, JOSEPH D.
DAVIS, KIMBRA G.
DAVIS, MARK H.
DAVIS, ROSE MARIE
DEANGELIS, DONALD L.
DEARMAN, TONY L.
DEERINWATER, DANIEL J.
DELOATCH, IVAN B.
DETTINGER, MICHAEL
DEVARIS, AIMEE MARIE
DOHNER, CYNTHIA
DOUGLAS, JAMES C.
DOWNS, BRUCE M.
DUMONTIER, DEBRA L.
DUNTON, RONALD L.
DUTSCHKE, AMY L.
EDSALL, DONNA LYNN
ELLIS, STEVEN A.
ENOMOTO, STANTON KEONE
ESTENOZ, SHANNON A.
ETHRIDGE, MAX M.
FAETH, LORRAINE V.
FERRERO, RICHARD C.
FERRITER, OLIVIA B.
FIELD, EDWARD H.
FLANAGAN, DENISE A.
FORD, JEROME E.
FOSTER, MAUREEN D.
FRANKEL, ARTHUR D.
FRAZER, GARY D.
FREEMAN, SHAREE M.
FREIHAGE, JASON E.
FROST, HERBERT C.
FULP, TERRANCE J.
GALLAGHER, KEVIN T.
GIDNER, JEROLD L.
GLENN, DOUGLAS A.
GLOMB, STEPHEN J.
GOKLANY, INDUR M.
GOLDHABER, MARTIN B.
GONZALES-SCHREINER, ROSEA
GONZALEZ, MARIA E.
GOULD, GREGORY J.
GRACE, JAMES B.
GUERTIN, STEPHEN D.
HAIG, SUSAN M.
HALL, ROBERT E.
HAMLEY, JEFFREY L.
HANKS, THOMAS C.
HANNA, JEANETTE D.
HART, PAULA L.
HARTLEY, DEBORAH J.
HARVEY, RONALD W.
HAUGRUD, KEVIN JACK
HAVELY, ANDREW W.
HAWBECKER, KAREN S.
HEIN, JAMES R.
HERBST, LARS T.
HILDEBRANDT, BETSY J.
HILDRETH, EDWARD W.
HITZMAN, MURRAY WALTER
HOLLEY, AMY LIN
HOLMES, TROY EDWARD
HOPPER, ABIGAIL ROSS
HOSKINS, DAVID WILLIAM
HOUSEKNECHT, DAVID W.
HUMBERT, HARRY L.
HUNTER, TERESA R.
HYUN, KAREN H.
INGEBRITSEN, STEVEN E.
ISEMAN, THOMAS M.
IVERSON, RICHARD M.

JACKSON, JAMES K.
JAMES, JAMES D. JR.
JONES, EILEEN GAY
JOSEPHSON, CLEMENTINE
JOSS, LAURA
JUPP, WILLIAM B.
KALAVRITINOS, CHRISTINA S
KEABLE, EDWARD T.
KEELEY, JON E.
KELLY, FRANCIS P.
KELLY, KATHERINE P.
KENDALL, JAMES J. JR.
KINSINGER, ANNE E.
KLEIN, ELIZABETH A.
KRABBHOF, DAVID P.
KROPF, RAMSEY LAURSOO
KRUSE, MICHAEL
KRYC, KELLY A.
KURTH, JAMES W.
LA COUNTE, DARRYL D. II
LABSON, VICTOR F.
LAFFERTY, KEVIN D.
LAIRD, JOSHUA RADBILL
LAKE, TIMOTHY CHARLES
LANCE, LINDA L.
LAPOINTE, TIMOTHY L.
LAROCHE, DARRELL WILLIAM
LAURO, SALVATORE R.
LEE, LORRI J.
LEHNERTZ, CHRISTINE S.
LEITER, AMANDA C.
LEITH, WILLIAM S.
LILLIE, JULIETTE ANNE FAL
LIMON, RAYMOND A.
LIN, JANET H.
LOCKNER, DAVID A.
LODGE, CYNTHIA LOUISE
LOFTIN, MELINDA J.
LOHOEFENER, RENNE R.
LORDS, DOUGLAS A.
LOUDERMILK, WELDON B.
LOVELAND, THOMAS R.
LUEBKE, THOMAS A.
LUEDERS, AMY L.
LYNN, TIM K.
LYONS, JAMES R.
MABRY, SCOTT L.
MARTIN, THOMAS E.
MARTINEZ, CYNTHIA T.
MASICA, SUE E.
MASON, ROBERT R JR.
MAYTUBBY, BRUCE W.
MCCABE, GREGORY J. JR
MCCAFFERY, JAMES G.
MCCLANAHAN, JOHN H.
MCCORMICK, STEPHEN D.
MCDOWALL, LENA E.
MCGUIRE, ANTHONY D.
MCKEOWN, MATTHEW J.
MECH, L. DAVID
MEHLHOFF, JOHN J.
MELIUS, THOMAS O.
MILAKOFFSKY, BENJAMIN E.
MILLY, PAUL C. D.
MONACO, JENNIFER ROMERO
MORRIS, DOUGLAS W.
MOSS, ADRIANNE L.
MOURITSEN, KAREN E.
MUHS, DANIEL R.
MULLER, BRUCE C. JR
MURILLO, DAVID G.
MURPHY, TIMOTHY M.
MUSSSENDEN, PAUL A.
MYERS, DONNA N.
NASSAR, JOSEPH W.
NEDD, MICHAEL D.

NEIMEYER, SARAH C.
 NOBLE, MICHAELA E.
 NORDSTROM, DARRELL K.
 OBERNESSER, RICHARD
 OLSEN, MEGAN C.
 ONEILL, KEITH JAMES
 OREMLAND, RONALD S.
 ORGAN, JOHN FRANCIS
 ORR, L. RENEE
 ORTIZ, HANKIE P.
 OWENS, GLENDA HUDSON
 PALUMBO, DAVID M.
 PARSONS, THOMAS E.
 PATINO, REYNALDO
 PAYNE, GRAYFORD F.
 PEREZ, JEROME E.
 PETERSON, PENNY LYNN
 PFEIFFER, TAMARAH NMN
 PIDOT, JUSTIN ROBERT
 PIERRE-LOUIS, ALESIA J.
 PINTO, SHARON ANN
 PLETCHER, MARY F.
 PLUMLEE, GEOFFREY S.
 PULA, NIKOLAO IULI
 QUINLAN, MARTIN J.
 QUINN, TIMOTHY S.
 RAE, KAREN L.
 RAFF, DAVID A.
 RAMOS, PEDRO M.
 RAUCH, PAUL A.
 REYNOLDS, MICHAEL T.
 REYNOLDS, THOMAS G.
 RHEES, BRENT B.
 RICE, BRYAN C.
 RICHARDSON, KAREN K.
 RICHARDSON, LIZETTE
 RIDEOUT, STERLING J. JR
 RIECHEL, SILVIA MARIA
 RIGGS, HELEN
 ROBERSON, EDWIN L.
 ROBERTS, JAMES F.
 ROBERTS, LAWRENCE SCOTT
 ROMANIK, PEG A.
 ROSS, JOHN W.
 ROTH, BARRY N.
 ROYLE, JEFFREY A.
 RUFFIN, LAWRENCE K.
 RUGWELL, MARY J.
 RUHS, JOHN F.
 RYAN, DENISE E.
 RYAN, MICHAEL J.
 SALERNO, BRIAN M.
 SALOTTI, CHRISTOPHER P.
 SANFORD, WARD E.
 SANTOSA, DAUD
 SAUER, JOHN R.
 SAUVAJOT, RAYMOND MARC
 SAXE, KEITH E.
 SCHNEIDER, MARGARET N.
 SCHOCK, JAMES H.
 SCHRECK, CARL B.
 SEAL, ROBERT R. II
 SHAPIRO, ALLEN M.
 SHEEHAN, DENISE E.
 SHEPARD, ERIC N.
 SHOLLY, CAMERON H.
 SHOPE, THOMAS D.
 SIEKANIEC, GREGORY EUGENE
 SIMMONS, SHAYLA F.
 SIMS, DAVID M.
 SINGER, MICHELE F.
 SLACK, JAMES J.
 SMILEY, KARLA J.
 SMITH, MARC ALAN
 SMITH, MICHAEL R.
 SOGGE, MARK K.

SONDERMAN, DEBRA E.
 SOSIN, AMY B.
 SOUZA, PAUL
 SPEAKS, STANLEY M.
 STEIGER, JOHN W.
 STEWARD, JAMES D.
 STREATER, EDDIE R.
 SUAZO, RAYMOND
 TAYLOR, KENNETH S.
 TEITZ, ALEXANDRA ELIZABET
 TEN BRINK, URI
 THOMPSON, DIONNE E.
 THORSON, ROBYN
 TILLITT, DONALD E.
 TISCHLER, MICHAEL ALLAN
 TODD, RAYMOND K.
 TOOTHMAN, STEPHANIE S.
 TOUTON, MARIACAMILLE CALI
 TUGGLE, BENJAMIN N.
 TUPPER, MICHAEL H.
 TYLER, PAUL GRAHAM
 USERY, EDDY L.
 VELA, RAYMOND DAVID
 VELASCO, JANINE M.
 VIETZKE, GAY E.
 VOGEL, ROBERT A.
 WAINMAN, BARBARA W.
 WALD, DAVID J.
 WALKER, WILLIAM T.
 WALSH, NOREEN E.
 WASHBURN, JULIA L.
 WAYSON, THOMAS C.
 WEBER, WENDI
 WELCH, RUTH L.
 WENGER, LANCE C.
 WENK, DANIEL N.
 WERKHEISER, WILLIAM H.
 WEYERS, HOLLY S.
 WHITE, JOHN ETHAN
 WILLIAMS, LC
 WILLIAMS, MARGARET C.
 WINTON, JAMES R.
 WOLF, ROBERT W.
 WOODY, WILLIAM C.
 WORONKA, THEODORE

Authority: 5 CFR 430.311(a)(4).

Raymond Limon,

Director, Office of Human Resources.

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BILLING CODE 4334-12-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-HAFE-22459; PPWOWMADL3, PPMPAS1Y.TD0000 (177)]

Information Collection Request Sent to the Office of Management and Budget (OMB) for Approval; National Park Service Common Learning Portal

AGENCY: National Park Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (National Park Service, NPS) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. We may not conduct or sponsor

and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: You must submit comments on or before December 27, 2016.

ADDRESSES: Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB-OIRA at (202) 395-5806 (fax) or *OIRA Submission@omb.eop.gov* (email). Please provide a copy of your comments to Madonna L. Baucum, Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive, Mail Stop 242, Reston, VA 20192 (mail); or *madonna_baucum@nps.gov* (email). Please include "1024-New CLP" in the subject line of your comments. You may review the ICR online at <http://www.reginfo.gov>. Follow the instructions to review Department of the Interior collections under review by OMB.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, please contact Dale Carpenter at telephone (304) 535-6401 or via email at *dale_carpenter@nps.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

The legislative mandate of the National Park Service Organic Act, found at 54 U.S.C. 100101(a), 100301 *et seq.* is to conserve America's natural wonders unimpaired for future generations, while also making them available for the enjoyment of the visitor. Meeting this mandate requires the NPS to balance conservation with use. Maintaining a good balance requires information and limits, as well as providing effective training to those responsible for upholding this mandate. The NPS Common Learning Portal (CLP) is focused on increasing the visibility of training available to NPS employees and makes the site available to the public to allow NPS partners, retired NPS employees, and other interested persons not directly affiliated with the NPS access. The information we collect as part of the registration process for the CLP enables non-NPS persons to register and participate with others within the site. The creation of a personal profile provides those using the CLP with basic information that can be used to find others with similar jobs, learning interests or to solve learning problems. All personal information, with the exception of the person's name and email address are optional when creating the profile, and profile information may be edited or deleted at