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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Doc. No. AMS-FV-16-0040]

#### Notice of Request for Extension and Revision of a Currently Approved Information Collection

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the Agricultural Marketing Service's (AMS) intention to request approval from the Office of Management and Budget (OMB) for an extension of a currently approved information collection for the Reporting and Recordkeeping Requirements Under Regulations Under the Perishable Agricultural Commodities Act, 1930, as amended.

**DATES:** Comments received by July 1, 2016 will be considered.

*Additional Information or Comments:* You may submit written or electronic comments to: Natalie Worku, PACA Recordkeeping and Reporting Comments, AMS, Specialty Crops Program, PACA Branch, 1400 Independence Avenue SW., Room 1510-S, Stop 0242, Washington DC 20250-0242; fax: 202-690-4413; or Internet: <http://www.regulations.gov>.

#### SUPPLEMENTARY INFORMATION:

*Title:* Reporting and Recordkeeping Requirements Under Regulations (Other than Rules of Practice) Under the Perishable Agricultural Commodities Act, 1930.

*OMB Number:* 0581-0031.

*Expiration Date of Approval:* December 31, 2016.

*Type of Request:* Extension of a currently approved information collection.

*Abstract:* The PACA was enacted by Congress in 1930 to establish a code of fair trading practices covering the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce. It protects growers, shippers, and distributors dealing in those commodities by prohibiting unfair and fraudulent trade practices.

The law provides a forum for resolving contract disputes, and a mechanism for the collection of damages from anyone who fails to meet contractual obligations. In addition, the PACA provides for prompt payment to fruit and vegetable sellers and for revocation of licenses and sanctions against firms or principals found to have violated the law's standards for fair business practices. The PACA also imposes a statutory trust that attaches to perishable agricultural commodities received by regulated entities, products derived from the commodities, and any receivables or proceeds from the sale of the commodities. The trust exists for the benefit of produce suppliers, sellers, or agents that have not been paid, and continues until they have been paid in full.

The PACA is enforced through a licensing system. All commission merchants, dealers, and brokers engaged in business subject to the PACA must be licensed. Retailers and grocery wholesalers must renew their licenses every three years. All other licensees renew yearly. Those who engage in practices prohibited by the PACA may have their licenses suspended or revoked.

The information collected pursuant to OMB Number 0581-0031 is used to administer licensing provisions under the PACA, to adjudicate contract disputes, and to enforce the PACA and the regulations. The purpose of this notice is to solicit comments from the public concerning our information collection.

We estimate the paperwork and time burden of the above referenced information collection to be as follows:

*Form FV-211, Application for License:* average of .25 hours per application per response.

*Form FV-231-1 (or 231-1A, or 231-2, or 231-2A), Application for Renewal or Reinstatement of License:* Average of .05 hours per application per response.

*Regulations Section 46.13—Letters to Notify USDA of Changes in Business*

*Operations:* Average of .05 hours per notice per response.

*Regulations Section 46.4—Limited Liability Company Articles of Organization and Operating Agreement:* Average of .083 hours with approximately 2,968 annual responses.

*Regulations Section 46.18—Record of Produce Received:* Average of 5 hours with approximately 6,725 recordkeepers.

*Regulations Section 46.20—Records Reflecting Lot Numbers:* Average of 8.25 hours with approximately 683 recordkeepers.

*Regulations Section 46.46(c)(2)—Waiver of Rights to Trust Protection:* Average of .25 hours per notice with approximately 100 principals.

*Regulations Sections 46.2(aa)(11) and 46.46(e)(1)—Copy of Written Agreement Reflecting Times for Payment:* Average of 20 hours with approximately 2,343 recordkeepers.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 3 hours per response annually.

*Respondents:* Commission merchants, dealers, and brokers engaged in the business of buying, selling, or negotiating the purchase or sale of commercial quantities of fresh and/or frozen fruits and vegetables in interstate or foreign commerce are required to be licensed under the PACA (7 U.S.C. 499(c)(a)).

*Estimated Number of Respondents:* 13,543.

*Estimated Total Annual Responses:* 28,433.

*Estimated Number of Responses per Respondent:* 2.

*Estimated Total Annual Burden on Respondents:* 87,406.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: April 27, 2016.

**Elanor Starmer,**

*Administrator, Agricultural Marketing Service.*

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**BILLING CODE 3410-02-P**

## DEPARTMENT OF COMMERCE

### Economic Development Administration

#### Notice of Opportunity To Apply for Membership on the National Advisory Council on Innovation and Entrepreneurship (NACIE)

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce (DOC) is currently seeking applications for membership on the National Advisory Council on Innovation and Entrepreneurship (NACIE). NACIE advises the Secretary of Commerce (the Secretary) on matters related to accelerating innovation and entrepreneurship.

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**DATES:** Applications must be received by the Office of Innovation and Entrepreneurship (OIE), Economic Development Administration (EDA) by 11:59 p.m. Eastern Time on June 1, 2016, to be considered for membership in the formation of this NACIE cohort. Applications received by June 1, 2016, will also be considered to fill vacancies up to one year after this NACIE cohort's formation.

**ADDRESSES:** Please submit applications electronically to [nacie@doc.gov](mailto:nacie@doc.gov) and include "[NACIEApplication]" (without quotation marks) in the subject line, or by post or courier to the Office of Innovation and Entrepreneurship, Attn: NACIE Membership Applications, 1401 Constitution Avenue NW., Suite 78018, Washington, DC 20230. Electronic submissions are preferred.

**FOR FURTHER INFORMATION CONTACT:** For further information, interested parties can contact the Office of Innovation and Entrepreneurship via post at 1401 Constitution Avenue NW., Suite 78018, Washington, DC 20230; via telephone at +1 (202) 482-8001; or via email at

[nacie@doc.gov](mailto:nacie@doc.gov). NACIE's establishment is authorized by Section 25(c) of the Stevenson-Wylder Technology Innovation Act of 1980, as amended (15 U.S.C. 3720(c)). Additional information regarding NACIE can be found at <https://www.eda.gov/oie/nacie/>.

**SUPPLEMENTARY INFORMATION:** The Office of Innovation and Entrepreneurship (OIE) is accepting applications for membership on the National Advisory Council on Innovation and Entrepreneurship (NACIE) for a two-year term beginning on the date of appointment. Members will be selected, in accordance with Department of Commerce (DOC) guidelines, based on their ability to advise the Secretary of Commerce (the Secretary) on matters relating to the acceleration of innovation and the support for and expansion of entrepreneurship, including but not limited to the matters set forth in 15 U.S.C. 3720(b) and

- The development of policy recommendations to support entrepreneurship and innovation across business sectors and geographies;
- insights into innovative opportunities to increase the global competitiveness of both the workforce and the economy;
- the exploration of opportunities to promote the role of employers in creating and expanding successful talent development partnerships across multiple stakeholders;
- policies that encourage the creative use of technology to facilitate employee recruitment, training, career and talent development, and business startups; and
- the identification and promotion of best practices that accelerate the commercialization of research and intellectual property.

NACIE will identify and recommend solutions to issues critical to driving the innovation economy, including enabling entrepreneurs and firms to successfully access and develop a skilled, globally competitive workforce. NACIE will also serve as a vehicle for ongoing dialogue with the innovation, entrepreneurship, and workforce development communities, including but not limited to business and trade associations. The duties of NACIE are solely advisory, and it shall report to the Secretary through the Economic Development Administration (EDA) and the Office of the Secretary.

NACIE members shall be selected in a manner that ensures that NACIE is balanced in terms of perspectives and expertise with regard to innovation, entrepreneurship, and business-driven

talent development that leads to a globally competitive workforce. To that end, the Secretary seeks diversity in the size of organization represented and seeks to appoint members who represent diverse geographies and innovation and entrepreneurship experiences from industry, government, academia, nonprofits, and non-governmental organizations.

Additional factors which may be considered in the selection of NACIE members include each candidate's proven experience in the design, creation, or improvement of innovation systems; commercialization of research and development; entrepreneurship; business-driven talent development that leads to a globally competitive workforce; and the creation and growth of innovation- and entrepreneurship-focused ecosystems. Members' affiliations may include, but are not limited to, successful executive-level business leaders; entrepreneurs; innovators; investors; post-secondary education leaders; directors of workforce and training organizations; and other experts drawn from industry, government, academia, philanthropic foundations with a demonstrated track record of research or support of innovation and entrepreneurship, and non-governmental organizations. Nominees will be evaluated consistent with factors specified in this notice and their ability to carry out the goals of NACIE.

Self-nominations will be accepted.

Appointments will be made without regard to political affiliation.

**Membership.** Members shall serve at the discretion of the Secretary. Because members will be appointed as experts, members will be considered special government employees (SGEs). Members participating in NACIE meetings and events will be responsible for their travel, living, and other personal expenses. Meetings will be held regularly and not less than twice annually, usually in Washington, DC. Members are required to attend a majority of NACIE's meetings. The first meeting for this NACIE cohort will take place October 6-7, 2016, in Washington, DC. Members may be required to arrive one day early for onboarding and orientation activities. Attendance is mandatory.

**Eligibility.** Eligibility for membership is limited to U.S. citizens who are not full-time employees of the United States government or of a foreign government, are not registered with the Department of Justice under the Foreign Agents Registration Act, and are not federally-registered lobbyists.