

### National Environmental Policy Act

In accordance with section 6.01 of NOAA Administrative Order 216-6 (Environmental Review Procedures for Implementing the National Environmental Policy Act, May 20, 1999), NMFS has analyzed both the context and intensity of this action, as laid out in AEC's application, and has preliminarily determined that the issuance of an IHA to AEC will not individually or cumulatively result in a significant impact on the quality of the human environment as defined in 40 CFR 1508.27 and is therefore categorically excluded from further NEPA analysis. In addition to the required NEPA analysis for categorical exclusion, NMFS' rulemaking for the issuance of IHAs (61 FR 15884; April 10, 1996) stated that for issuance of an IHA, NMFS must first determine that the taking (by harassment) would not result in any serious injury or death to a marine mammal, would have no more than a negligible impact on marine mammals and their habitat, and would not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. Therefore, NMFS' decision-making process for IHA issuance or denial independently and separately analyzes factors similar to those suggested under section 6.01 of NOAA Administrative Order 216-6 for determining the significance of agency actions for the purposes of NEPA.

### Preliminary Conclusions

NMFS has preliminarily determined that the short-term impact of SDC mobilization from Port Clarence, AK through the Bering Strait and Chukchi Sea to the Beaufort Sea and exploratory drilling and associated activities at the McCovey Prospect in the Beaufort Sea will result, at worst, in a temporary modification in behavior by certain species of whales, porpoise, and pinnipeds. While behavioral modifications may be made by these species to avoid the resultant noise or visual cues, this behavioral change is expected to have a negligible impact on the survival and recruitment of stocks.

While the number of potential incidental harassment takes will depend on the year-to-year distribution and abundance of marine mammals in the area of operations, due to the distribution and abundance of marine mammals during the projected period of activity and the location of the proposed activity, the number of potential harassment takings is estimated to be small. In addition, no take by injury and/or death is anticipated, and there is no potential for temporary or permanent

hearing impairment as a result of the activities. During SDC mobilization, operations will pass through beluga whale summering grounds in the Kotzebue Sound and Kasegaluk Lagoon and gray whale feeding grounds in the Chukchi Sea. The potential for harassment throughout the Chukchi region will be greatly reduced through constant visual monitoring in these areas. No rookeries, mating grounds, areas of concentrated feeding, or other areas of special significance for marine mammals occur within or near the McCovey Prospect during re-supply, re-fueling and exploratory drilling operations.

Appropriate mitigation measures to avoid an unmitigable adverse impact on the availability of bowhead whales for subsistence needs will be the subject of consultation between AEC and subsistence users and may include additional mitigation measures.

### Proposed Authorization

NMFS proposes to issue an IHA for the harassment of marine mammals incidental to movement of a SDC from Port Clarence, AK to the Beaufort Sea and planned exploratory drilling and associated activities at the McCovey Exploration Prospect in the western Beaufort Sea. This IHA proposal is contingent upon incorporation of the previously mentioned mitigation, monitoring, and reporting requirements. NMFS has preliminarily determined that the proposed activity would result in the harassment of only small numbers of bowhead whales, beluga whales, gray whales, killer whales, harbor porpoise, ringed seals, bearded seals and spotted seals; would have no more than a negligible impact on these marine mammal stocks; and would not have an unmitigable adverse impact on the availability of marine mammal stocks for subsistence uses once the Plan of Cooperation and CAA is finalized.

### Information Sought

NMFS requests interested persons to submit comments, and information, concerning this request to Donna Wieting, Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3225.

Dated: March 6, 2002.

### Wanda Cain,

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 02-5916 Filed 3-11-02; 8:45 am]

**BILLING CODE 3510-22-S**

### DEPARTMENT OF COMMERCE

#### National Telecommunications and Information Administration

[Docket No. 000410097-2041-05]

RIN 0660-ZA-11

#### Public Telecommunications Facilities Program: Closing Date

**AGENCY:** National Telecommunications and Information Administration (NTIA), Commerce.

**ACTION:** Notice of Availability of Funds.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce, announces the solicitation of applications for a grant for the Pan-Pacific Education and Communications Experiments by Satellite (PEACESAT) Program. Projects funded pursuant to this Notice are intended to support the PEACESAT Program's acquisition of satellite communications to service Pacific Basin communities and to manage the operations of this network. Applications for the PEACESAT Program grant will compete for funds from the Public Broadcasting, Facilities, Planning and Construction Funds account. The deadline for receipt of applications for the Public Telecommunications Facilities Program (PTFP), which is also funded from this account, was February 5, 2002. The PTFP deadline was published in the **Federal Register** on November 20, 2001 (66 FR 58302).

**DATES:** Applications for the PEACESAT Program grant must be received on or before 5:00 p.m. on April 11, 2002. Applicants sending applications by the United States Postal Service or commercial delivery services must ensure that the carrier will be able to guarantee delivery of the application by the Closing Date and Time. NTIA will not accept mail delivery of applications posted on the Closing Date or later and received after the above deadline. However, if an application is received after the Closing Date due to (1) carrier error, when the carrier accepted the package with a guarantee for delivery by the Closing Date, or (2) significant weather delays or natural disasters, NTIA will, upon receipt of proper documentation, consider the application as having been received by the deadline.

**ADDRESSES:** To submit completed applications, or send any other correspondence, write to: NTIA/PTFP, Room H-4625, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230. Applicants submitting applications by

hand delivery are notified that, due to security procedures in the Department of Commerce, all packages must be cleared by the Department's security office. The security office is located in Room 1874, located at Entrance No. 10 on the 15th St. NW side of the building.

**FOR FURTHER INFORMATION CONTACT:** William Cooperman, Director, Public Broadcasting Division, telephone: (202) 482-5802; fax: (202) 482-2156.

**SUPPLEMENTARY INFORMATION:**

**I. Application Forms and Requirements**

Funding for the PEACESAT Program is provided pursuant to Public Law 107-77, the "Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 2002" and Public Law 106-113, "The Consolidated Appropriations Act, Fiscal Year 2000." Public Law 106-113 provides "That, hereafter, notwithstanding any other provision of law, the Pan-Pacific Education and Communications Experiments by Satellite (PEACESAT) Program is eligible to compete for Public Broadcasting Facilities, Planning and Construction funds." The PEACESAT Program was authorized under Pub. L. 100-584 (102 Stat. 2970) and also Pub. L. 101-555 (104 Stat. 2758) to acquire satellite communications services to provide educational, medical, and cultural needs of Pacific Basin communities. The PEACESAT Program has been operational since 1971 and has received funding from NTIA for support of the project since 1988.

Public Law 107-77 appropriated \$43.5 million for this account to be awarded for Public Telecommunications Facilities Program (PTFP) grants and for PEACESAT Program grants. The solicitation notice for the PTFP Program was published in the **Federal Register** on November 20, 2001 (66 FR 58302). Applications submitted in response to this solicitation for PEACESAT applications are not subject to the requirements of the November 20, 2001 Notice and are exempt from the PTFP regulations at 15 CFR part 2301. NTIA anticipates making a single award for approximately \$475,000 for the PEACESAT Program in FY2002.

NTIA requests that each applicant for a PEACESAT Program grant supply one (1) original signed application and five (5) copies, unless doing so would present a financial hardship, in which case the applicant may submit one(1) original and two (2) copies of the application. The application form consists of the Standard Form 424, *Application for Federal Assistance*; Standard Form 424A, *Budget*

*Information-Non-Construction Programs*; Standard Form 424 B, *Assurances*; Standard Form CD-511, *Certification*; and Standard Form LLL, *Disclosure of Lobbying Activities* (if applicable). These requirements are subject to the Paperwork Reduction Act and have been approved by the Office of Management and Budget under control numbers 0348-0043, 0348-0044, 0348-0040 and 0348-0046.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection displays a currently valid Office of Management and Budget control number.

Eligible applicants will include any for-profit or non-profit organization, public or private entity, other than an agency or division of the Federal government. Individuals are not eligible to apply for the PEACESAT Program funds.

Grant recipients under this program will not be required to provide matching funds toward the total project cost.

The costs allowable under this Notice are not subject to the limitation on costs contained in the November 20, 2001 Notice regarding the PTFP Program.

**II. Administrative Requirements; Scope of Project and Eligible Costs; Evaluation and Selection Process.**

Public Law Number 107-77 was enacted November 28, 2001. Public Law 107-77 appropriated funds to the Public Broadcasting, Facilities, Planning and Construction Funds account. Pursuant to Public Law 106-113 the Pan-Pacific Education and Communications Experiments by Satellite (PEACESAT) Program can compete for funds from the Public Broadcasting, Facilities, Planning and Construction Funds account. Funds appropriated to the Public Broadcasting, Facilities, Planning and Construction Funds account do not carry fiscal year limitations. A notice published on March 16, 1999 set forth the scope of the project and eligible costs, and a description of the evaluation and selection process for applications for the PEACESAT Program. Since funds for the Public Broadcasting, Facilities, Planning and Construction Funds account are available without fiscal year limitations, the administrative requirements; scope of project and eligible costs criteria; and evaluation and selection process criteria set forth in the March 16, 1999 notice apply to the 1999 PEACESAT program and to all subsequent years. A copy of the March

16,1999 Notice is available to potential applicants from NTIA at the address listed in the Address section and is also available on the Internet at [www.ntia.doc.gov/otiahome/peacesat.html](http://www.ntia.doc.gov/otiahome/peacesat.html). If, in the future, NTIA changes the administrative requirements; the scope of project and eligible costs criteria; or the evaluation and selection process criteria, a new notice will be published containing the new criteria and requirements. Unsuccessful applications will be destroyed.

*Applicants for grants for the PEACESAT Program must file their applications on or before April 11, 2002.* NTIA anticipates making the grant award by September 30, 2002. NTIA shall not be liable for any proposal preparation costs.

**III. Project Period**

Any project awarded pursuant to this notice will be for a one-year period.

**IV. Other Requirements**

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), are applicable to this solicitation, unless stated otherwise in this notice. However, please note that the Department of Commerce will not implement the requirements of Executive Order 13202 (66 FR 49921), pursuant to guidance issued by the Office of Management and Budget in light of a court opinion which found that the Executive Order was not legally authorized. *See Building and Construction Trades Department v. Allbaugh*, 172 F. Supp.2d 138 (D.D.C. 2001). This decision is currently on appeal. When the case has been finally resolved, the Department will provide further information on implementation of Executive Order 13202.

**V. Executive Order 12866**

It has been determined that this notice is "not significant" for the purpose of Executive Order 12866.

**VI. Executive Order 13132**

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in EO 13132.

**VII. Regulatory Flexibility Analysis**

Because notice and comment are not required under 5 USC 553, or any other law, for this notice related to public property, loans, grants, benefits or contracts, 5 USC 553(a), a Regulatory Flexibility Analysis is not required and

has not been prepared for this notice. 5 USC 601 *et seq.*

**Authority:** Pub. L. 107-77 the "Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 2002" and Pub. L. 106-113, "The Consolidated Appropriations Act, Fiscal Year 2000."

**Bernadette McGuire-Rivera,**  
Associate Administrator, Office of  
Telecommunications and Information  
Applications.  
[FR Doc. 02-5857 Filed 3-11-02; 8:45 am]  
BILLING CODE 3510-60-P

**COMMITTEE FOR THE  
IMPLEMENTATION OF TEXTILE  
AGREEMENTS**

**Adjustment of Import Limits for Certain  
Cotton and Man-Made Fiber Textile  
Products Produced or Manufactured in  
Pakistan**

March 6, 2002.

**AGENCY:** Committee for the  
Implementation of Textile Agreements  
(CITA).

**ACTION:** Issuing a directive to the  
Commissioner of Customs adjusting  
limits.

**EFFECTIVE DATE:** March 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** Ross  
Arnold, International Trade Specialist,  
Office of Textiles and Apparel, U.S.  
Department of Commerce, (202) 482-  
4212. For information on the quota  
status of these limits, refer to the Quota  
Status Reports posted on the bulletin  
boards of each Customs port, call (202)  
927-5850, or refer to the U.S. Customs  
website at <http://www.customs.gov>. For  
information on embargoes and quota re-  
openings, refer to the Office of Textiles  
and Apparel website at [http://  
otexa.ita.doc.gov](http://otexa.ita.doc.gov).

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural  
Act of 1956, as amended (7 U.S.C. 1854);  
Executive Order 11651 of March 3, 1972, as  
amended.

A package of apparel benefits has  
been granted to the Government of  
Pakistan, and is laid out in the Annex  
to a February 21, 2002 letter from  
Commerce Department International  
Trade Administration Under Secretary  
Grant Aldonas to the Pakistani Secretary  
of Commerce, Mr. Mirza Qamar Beg, in  
response to Secretary Beg's letter of  
February 4, 2002. In the attached  
directive, 2002 limits for imports of  
certain apparel categories from Pakistan  
are being raised reflecting the increases  
to base limits provided in the Annex to  
Under Secretary Aldonas' letter.

The base limits for certain categories  
are being raised by 15%; also, some of  
these limits reflect reductions  
previously made for carryforward that  
was applied to the 2001 limits.

A description of the textile and  
apparel categories in terms of HTS  
numbers is available in the  
CORRELATION: Textile and Apparel  
Categories with the Harmonized Tariff  
Schedule of the United States (see  
**Federal Register** notice 66 FR 65178,  
published on December 18, 2000). Also  
see 66 FR 63683, published on  
December 10, 2001.

**D. Michael Hutchinson,**  
Acting Chairman, Committee for the  
Implementation of Textile Agreements.

**Committee for the Implementation of Textile  
Agreements**

March 6, 2002.

Commissioner of Customs,  
Department of the Treasury, Washington, DC  
20229.

Dear Commissioner: This directive  
amends, but does not cancel, the directive  
issued to you on December 4, 2001, by the  
Chairman, Committee for the Implementation  
of Textile Agreements. That directive  
concerns imports of certain cotton and man-  
made fiber textile products produced or  
manufactured in Pakistan and exported  
during the twelve-month period which began  
on January 1, 2002 and extends through  
December 31, 2002.

Effective on March 12, 2002, you are  
directed to raise the limits for the following  
categories, as provided for under the Uruguay  
Round Agreement on Textiles and Clothing:

Category	Twelve-month restraint limit <sup>1</sup>
Specific limits	
331pt./631pt. <sup>2</sup> .....	905,976 dozen pairs.
334/634 .....	389,495 dozen.
335/635 .....	630,644 dozen.
341/641 .....	1,244,490 dozen.
351/651 .....	527,543 dozen.
638/639 .....	700,857 dozen.
647/648 .....	1,328,797 dozen.

<sup>1</sup> The limits have not been adjusted to ac-  
count for any imports exported after December  
31, 2001.

<sup>2</sup> Category 331pt.: all HTS numbers except  
6116.10.1720, 6116.10.4810, 6116.10.5510,  
6116.10.7510, 6116.92.6410, 6116.92.6420,  
6116.92.6430, 6116.92.6440, 6116.92.7450,  
6116.92.7460, 6116.92.7470, 6116.92.8800,  
6116.92.9400 and 6116.99.9510; Category  
631pt.: all HTS numbers except 6116.10.1730,  
6116.10.4820, 6116.10.5520, 6116.10.7520,  
6116.93.8800, 6116.93.9400, 6116.99.4800,  
6116.99.5400 and 6116.99.9530.

The Committee for the Implementation of  
Textile Agreements has determined that  
these actions fall within the foreign affairs  
exception of the rulemaking provisions of 5  
U.S.C. 553(a)(1).

Sincerely,  
D. Michael Hutchinson,

Acting Chairman, Committee for the  
Implementation of Textile Agreements.  
[FR Doc.02-5879 Filed 3-11-02; 8:45 am]

BILLING CODE 3510-DR-S

**DEPARTMENT OF DEFENSE**

**Department of the Army**

**Proposed Collection; Comment  
Request**

**AGENCY:** Department of the Army, DoD.  
**ACTION:** Notice.

**SUMMARY:** In compliance with Section  
3506(c)(2)(A) of the Paperwork  
Reduction Act of 1995, the Department  
of the Army announces a proposed  
public information collection and seeks  
public comment on the provisions  
thereof. Comments are invited on: (a)  
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;  
(b) the accuracy of the agency's estimate  
of the burden of the proposed  
information collection; (c) ways to  
enhance the quality, utility, and clarity  
of the information to be collected; and  
(d) 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 May 13, 2002.

**ADDRESSES:** Written comments and  
recommendations on the proposed  
information collection should be sent to  
the USACE, Directorate of Civil Works,  
Institute for Water Resources, 7701  
Telegraph Road/Casey Building,  
Alexandria, Virginia 22315-3868,  
ATTN: Virginia Pankow. Consideration  
will be given to all comments received  
within 60 days of the date of publication  
of this notice.

**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 the above address, or call  
Department of the Army Reports  
Clearance Officer at (703) 692-1451.

*Title, Associated Form, and OMB  
Number:* Terminal and Transfer  
Facilities Descriptions, ENG FORMS,  
1,2,3,4,5,6,7,8,9; OMB Control No.  
0710-0007.

*Needs and Uses:* Data gathered, and  
published as one of the 56 Port Series  
Report, relate to terminals, transfer  
facilities, storage facilities, and  
intermodal transportation. This