

### 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>.

**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 account 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