

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 050802B]

Marine Mammals; Permit No. 848–1335–09

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of permit amendment.

SUMMARY: Notice is hereby given that The Honolulu Laboratory, Southwest Fisheries Science Center, 2570 Dole Street, Honolulu, Hawaii 96822–2396 (Dr. R. Michael Laurs, Director; Principal Investigator), has been issued an amendment to scientific research Permit No. 848–1335–08 to extend the expiration date through December 31, 2002.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713–2289; fax (301) 713–0376;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; phone (562) 980–4001; fax (562) 980–4018; and

Protected Species Coordinator, Pacific Area Office, NMFS, 1601 Kapiolani Blvd., Rm. 1110, Honolulu, HI 96814–4700; phone (808) 973–2935; fax (808) 973–2941.

FOR FURTHER INFORMATION CONTACT: Ruth Johnson or Amy Sloan, (301) 713–2289.

SUPPLEMENTARY INFORMATION: The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the provisions of § 216.39 of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the provisions of § 222.306 of the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

Issuance of this amendment, as required by the ESA was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of the endangered species which is the subject of this permit; and (3) is consistent with

the purposes and policies set forth in section 2 of the ESA.

Dated: May 10, 2002.

Eugene T. Nitta,

Acting Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 02–12280 Filed 5–15–02; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 040802A]

Endangered and Threatened Species; Take of Anadromous Fish

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of 39 research permits, six research permit modifications, eight research permit amendments, and withdrawal of two research permit applications.

SUMMARY: NMFS has issued 39 scientific research permits, six research permit modifications, eight research permit amendments and withdrew two research permit applications. NMFS withdrew the scientific research permit applications from the City of Kent Public Works in Kent, WA and the Northwest Fisheries Science Center (NWFSC) in Seattle, WA.

ADDRESSES: The applications and related documents are available for review in the following office, by appointment: Protected Resources Division, F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232–2737 (phone: 503–230–5400, fax: 503–230–5435).

FOR FURTHER INFORMATION CONTACT: Steve Stone, Portland, OR (phone: 503–231–2317, fax: 503–230–5435, e-mail: steve.stone@noaa.gov).

SUPPLEMENTARY INFORMATION:**Authority**

Scientific research and/or enhancement permits are issued under Section 10(a)(1)(A) of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531 *et seq.*). Issuance of permits and permit modifications, as required by the ESA, is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species that are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the

ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits, modifications, and amendments are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR Parts 222–226).

Species Covered in This Notice

The following ESA-listed species and evolutionarily significant units (ESUs) are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened Puget Sound (PS); threatened Lower Columbia River (LCR); threatened Snake River (SnR) spring/summer and fall; endangered Upper Columbia River (UCR); threatened Upper Willamette River (UWR).

Sockeye salmon (*O. nerka*): Endangered SnR.

Chum salmon (*O. keta*): Threatened Hood Canal summer-run (HCS); threatened Columbia River (CR).

Steelhead (*O. mykiss*): Threatened LCR; threatened Middle Columbia River (MCR); threatened SnR; threatened UWR; endangered UCR.

Permits Issued**Permit 1175**

Notice was published on August 27, 1998 (63 FR 45799), and June 7, 2001 (66 FR 30704), that the U.S. Forest Service (USFS) in Vancouver, WA applied for a scientific research permit. NMFS issued permit 1175 on February 27, 2002, to the USFS authorizing annual takes of threatened LCR chinook salmon, threatened PS chinook salmon, threatened LCR steelhead, and threatened CR chum salmon. Permit 1175 expires on December 31, 2006.

Permit 1229

Notice was published on January 14, 2000 (65 FR 2381), that the Northern Wasco County Peoples' Utility District in The Dalles, OR (NWCPUD) applied for a scientific research permit. NMFS issued permit 1229 on March 8, 2002, to the NWCPUD authorizing annual direct takes of threatened SnR fall chinook salmon; threatened SnR spring/summer chinook salmon; endangered UCR spring chinook salmon; endangered SnR sockeye salmon; threatened MCR steelhead; threatened SnR steelhead; and endangered UCR steelhead. Permit 1229 expires on December 31, 2006.

Permit 1246

Notice was published on March 22, 2000 (65 FR 15312), that Douglas County Public Utility District No. 1 (PUD) in East Wenatchee, WA applied for a scientific research permit. NMFS

issued permit 1246 on February 21, 2002, to the PUD authorizing annual direct takes of endangered UCR spring chinook salmon and endangered UCR steelhead. Permit 1246 expires on December 31, 2006.

Permit 1252

Notice was published on May 16, 2000 (65 FR 31147), that the Washington Department of Transportation (WDOT) in Olympia, WA applied for a scientific research permit. NMFS issued permit 1252 on February 23, 2002, to WDOT authorizing annual direct takes of endangered UCR chinook salmon, threatened PS chinook salmon, threatened LCR chinook salmon, threatened HCS chum salmon, threatened CR chum salmon, endangered UCR steelhead, and threatened LCR steelhead. Permit 1252 expires on December 31, 2006.

Permit 1290

Notice was published on February 21, 2001 (66 FR 11002), that the NWFSC applied for a scientific research permit. NMFS issued permit 1290 on March 08, 2002, to the NWFSC authorizing annual direct takes of endangered UCR spring chinook salmon, threatened UWR chinook salmon, threatened LCR chinook salmon, threatened SnR spring/summer chinook salmon, threatened SnR fall chinook salmon, endangered UCR steelhead, threatened MCR steelhead, threatened UWR steelhead, threatened LCR steelhead, threatened SnR steelhead, and threatened CR chum salmon. Permit 1290 expires on December 31, 2006.

Permit 1293

Notice was published on March 3, 2001 (66 FR 1305), that Northern Resource Consulting (NRC) in Longview, WA applied for a scientific research permit. NMFS issued permit 1293 on March 11, 2002, to the NRC authorizing annual direct takes of endangered, UCR spring chinook salmon, endangered UCR steelhead, threatened MCR steelhead, threatened, LCR chinook salmon, threatened LCR steelhead, and threatened CR chum salmon. Permit 1293 expires on December 31, 2006.

Permits 1309, 1310, 1311, 1312, 1313, 1314, 1315

Notice was published on May 16, 2001 (66 FR 27076), that the following entities applied for scientific research permits: King County Department of Natural Resources in Seattle, WA (1309); King County Department of Transportation in Seattle, WA (1310);

NWFSC (1311); Olympic Resource Management in Aberdeen, WA (1312); Pentec Environmental in Edmonds, WA (1313); Port of Seattle (1314); and the U.S. Army Corps of Engineers in Seattle, WA (1315). NMFS issued these permits on February 22–23, 2002, authorizing annual direct takes of threatened PS chinook salmon (all permits) and HCS chum salmon (1312). All seven permits expire on December 31, 2006.

Permits 1317, 1318, 1319, 1320, 1321

Notice was published on June 7, 2001 (66 FR 30704), that the following entities applied for scientific research permits: U.S. Geological Survey (USGS) in Cook, WA (1317); Oregon Department of Fish and Wildlife (ODFW) in Portland, OR (1318); Georgia Pacific West Inc., in Bellingham, WA (1319); the City of Marysville, WA (1320); and Mr. Kenneth Witty of S.P. Cramer and Associates in Enterprise, OR (1321). NMFS issued permits on February 14 (1321) February 21 (1317), February 23 (1319 and 1320), and March 8 (1318), 2002. These permits authorize annual direct takes of threatened UWR chinook salmon (1318), threatened LCR chinook salmon (1318), threatened UWR steelhead (1318), threatened LCR steelhead (1318), threatened MCR steelhead (1317, 1318, 1321), and threatened PS chinook salmon (1319, 1320). All five permits expire on December 31, 2006.

Permits 1256, 1326, 1327, 1328, 1330, 1331, 1332, 1333, 1334, 1336, 1337, 1338

Notice was published on July 20, 2001 (66 FR 37947), that the following entities applied for scientific research permits: Bureau of Land Management in Eugene, OR (1256); Cascade General, Inc. in Portland, OR (1326); Western Washington University in Bellingham, WA (1327); Lower Willamette Group in Portland, OR (1328); Weyerhaeuser in Federal Way, WA (1330); King County Department of Transportation in Renton, WA (1331); City of Bellingham, WA (1332); Oregon State University (OSU) in Corvallis, OR (1333, 1337); Oregon Metallurgical Corporation in Portland, OR (1334); Port Blakely Farms in Tenino, WA (1336); and United States Fish and Wildlife Service in Vancouver, WA (1338). NMFS issued permits on February 21 (1333, 1334, 1336, 1337, 1338), February 22 (1256, 1326, 1327, 1328, 1330), February 23 (1331), and February 27 (1332), 2002. These permits authorize annual direct takes of threatened UWR chinook salmon (1256, 1326, 1327, 1328, 1333, 1334, 1336, 1337), threatened LCR chinook salmon (1326, 1328, 1333,

1336, 1338), threatened PS chinook salmon (1331, 1332), threatened CR chum salmon (1338), threatened UWR steelhead (1326, 1327, 1328, 1333, 1334, 1336, 1337), and threatened LCR steelhead (1326, 1328, 1330, 1333, 1336, 1338). All 13 permits expire on December 31, 2006.

Permit 1335

Notice was published on July 20, 2001 (66 FR 37947), and November 9, 2001 (66 FR 56658), that the USFS in Corvallis, OR applied for a scientific research permit. NMFS issued permit 1335 on February 23, 2002, to the USFS authorizing annual direct takes of threatened PS chinook salmon, threatened CR chum salmon, threatened HCS chum salmon, threatened MCR steelhead, and threatened LCR steelhead. Permit 1335 expires on December 31, 2006.

Permits 1339, 1340, 1341, 1342, 1343

Notice was published on July 20, 2001 (66 FR 37949), that the following entities applied for scientific research permits: the Columbia River Inter-Tribal Fish Commission (CRITFC) in Portland, OR (1339); OSU (1340), the Shoshone-Bannock Tribes in Fort Hall, ID (1341); the Washington State University in Pullman, WA (1342); and Thompson Creek Mining Company in Challis, ID (1343). NMFS issued permits on February 19 (1342), February 20 (1339), and February 21 (1340, 1341, 1343), 2002. These permits authorize annual direct takes of SnR sockeye salmon (1339, 1341, 1342, 1343), endangered UCR spring chinook salmon (1339, 1342, 1343), threatened SnR spring/summer chinook salmon (1339, 1340, 1341, 1342, 1343), threatened SnR fall chinook salmon (1339, 1342, 1343), threatened LCR chinook salmon (1339, 1342, 1343), endangered UCR steelhead (1339, 1342, 1343), threatened SnR steelhead (1339, 1340, 1342, 1343), threatened MCR steelhead (1339, 1340, 1342, 1343), and threatened LCR steelhead (1339, 1342, 1343). Permit 1342 expires on December 31, 2004; the remaining four permits expire on December 31, 2006.

Permits 1322, 1344, 1345

Notice was published on July 25, 2001 (66 FR 38640), that the following entities applied for scientific research permits: NWFSC (1322), the Hecla Mining Company in Challis, ID (1344); and the Washington Department of Fish and Wildlife in Olympia, WA (1345). NMFS issued permits on February 21 (1322, 1344) and February 23 (1345), 2002. These permits authorize annual direct takes of endangered SnR sockeye

salmon (1344), endangered UCR spring chinook salmon (1344), threatened PS chinook salmon (1345), threatened SnR fall-run chinook salmon (1322, 1344), threatened SnR spring/summer chinook salmon (1322, 1344, 1345), threatened LCR chinook salmon (1322, 1344), threatened UWR chinook salmon (1322), threatened CR chum salmon (1322), endangered UCR steelhead (1344), threatened SnR steelhead (1322, 1344, 1345), threatened UWR steelhead (1322), and threatened MCR steelhead (1322, 1344, 1345), and threatened LCR steelhead (1322, 1344). All three permits expire on December 31, 2006.

Permit Modifications

Permit 1056

Notice was published on March 24, 1998 (63 FR 14069), and March 22, 2000 (65 FR 15312), that NWFSC applied for a modification to scientific research permit 1056. NMFS issued modification 3 to permit 1056 on February 21, 2002, to the NWFSC. Permit 1056 allows take of threatened SnR spring/summer chinook salmon, threatened SnR steelhead, and threatened MCR steelhead. Modification 3 is valid for the duration of the permit which has been extended to expire on December 31, 2002.

Permit 1116

Notice was published on April 7, 2000 (65 FR 18310), that the Douglas County PUD No. 1 applied for a modification to scientific research permit 1116. NMFS issued modification 3 to permit 1116 to Douglas County PUD No. 1 on February 21, 2002. Modification 3 allows take of endangered UCR chinook salmon and is valid for the duration of the permit, which expires on December 31, 2002.

Permit 1140

Notice was published on March 22, 2000 (65 FR 15312), and May 16, 2001 (66 FR 27076), that the NWFSC applied for a modification to scientific research permit 1140. The modification allows take of threatened PS chinook salmon, threatened LCR chinook salmon, threatened UWR chinook salmon, threatened CR chum salmon, threatened SnR steelhead, threatened LCR steelhead, and threatened MCR steelhead. NMFS issued modification 2 to permit 1140 on February 28, 2002; the permit expires on December 31, 2006.

Permit 1152

Notice was published on April 7, 2000 (65 FR 18310), that the ODFW in La Grande, OR applied for a modification to scientific research

permit 1152. NMFS issued modification 1 to permit 1152 on February 20, 2002, to ODFW. In addition to an increase in annual takes of threatened artificially propagated SnR spring/summer chinook salmon, the permit modification authorizes ODFW annual take of SnR spring/summer chinook salmon adults and juveniles associated with potential salvage/rescue operations within the state of Oregon. Modification 1 is valid for the duration of the permit which expires on December 31, 2002.

Permit 1156

Notice was published on April 7, 2000 (65 FR 56658), April 19, 2000 (65 FR 20954), and November 9, 2001 (66 FR 56658), that the Environmental Protection Agency in Olympia, WA, and Dynamic Corporation applied for a modification to scientific research permit 1156. NMFS issued modification 2 to permit 1156 on February 28, 2002, authorizing annual direct takes of threatened LCR steelhead, threatened MCR steelhead, endangered UCR steelhead, threatened SnR steelhead, threatened UWR steelhead, threatened LCR chinook salmon, threatened UWR chinook salmon, endangered UCR spring chinook salmon, and threatened PS chinook salmon. Permit 1156, modification 2 expires on December 31, 2002.

Permit 1205

Notice was published on July 20, 2001 (66 FR 37949), that the Oregon Department of Environmental Quality in Portland, OR (ODEQ) applied for a modification to scientific research permit 1205. NMFS issued modification 1 to permit 1205 to ODEQ on February 21, 2002. Modification 1 allows take of threatened SnR spring/summer chinook salmon, threatened SnR fall chinook salmon, and threatened SnR steelhead and is valid for the duration of the permit, which expires on December 31, 2002.

Amendments Issued

Permit 1102

Notices were published on October 31, 1997 (62 FR 58942), February 25, 1998 (63 FR 9505), and April 26, 1999 (64 FR 20266) that the Washington Department of Fish and Wildlife (WDFW) in Vancouver, WA applied for annual takes of threatened SnR steelhead and threatened LCR steelhead under WDFW's scientific research permit 1102. On February 20, 2002, NMFS issued an amendment to permit 1102 that authorizes WDFW annual takes of these species. The amendment

is valid for the duration of the permit which expires on January 31, 2003.

Permit 1124

Notice was published on November 18, 1998 (63 FR 64063), that the Idaho Department of Fish and Game (IDFG) applied for annual takes of endangered SnR sockeye salmon, threatened SnR spring/summer chinook salmon, and threatened SnR fall chinook salmon under IDFG's scientific research permit 1124. NMFS issued an amendment to the IDFG scientific research permit 1124 on February 21, 2002. The amendment authorizes IDFG take of these species associated with potential salvage/rescue operations within the state of Idaho. The permit amendment is valid for the duration of the permit which expires on December 31, 2002.

Permit 1126

NMFS issued an amendment to WDFW's scientific permit 1126 on February 21, 2002. The amendment authorizes WDFW annual takes of ESA-listed SnR spring/summer and fall chinook salmon adults and juveniles associated with potential salvage/rescue operations within the state of Washington. The permit amendment is valid for the duration of the permit which expires on December 31, 2002.

Permit 1127

Notice was published on February 19, 1998 (63 FR 8435), that the Shoshone-Bannock Tribes applied for annual takes of threatened SnR steelhead under the Tribes' scientific research permit 1127. NMFS issued an amendment to permit 1127 that authorizes the Shoshone-Bannock Tribes take of this species on February 21, 2002. The amendment is valid for the duration of the permit which expires on December 31, 2002.

Permit 1134

Notice was published on March 2, 1998 (63 FR 10198), that CRITFC applied for take of threatened SnR steelhead. Further notice was published on September 27, 1999 (64 FR 51959), that CRITFC applied for take of threatened LCR chinook salmon under CRITFC's scientific research permit 1134. On February 21, 2002, NMFS issued an amendment to permit 1134 that authorizes CRITFC annual takes of these species. The permit amendment also allows CRITFC to obtain gametes from pre-spawned and partially-spawned adult, threatened SnR spring/summer chinook salmon and steelhead males associated with CRITFC's cryopreservation of sperm research project. The acquisition of gametes from pre-spawned and partially-spawned

adult, threatened SnR spring/summer chinook salmon and steelhead males is subject to annual approval by NMFS. The permit amendment is valid for the duration of the permit, which expires on December 31, 2002.

Permit 1135

On March 8, 2002, NMFS issued an amendment to USGS' scientific research permit 1135 authorizing direct takes of threatened LCD steelhead. Permit 1135 and the amendment expires on December 31, 2006.

Permit 1291

Notice was published on February 21, 2001 (66 FR 11002), and January 2, 2002 (67 FR 62), authorizing the USGS' Columbia River Research Laboratory annual direct takes of endangered UCR spring chinook salmon, threatened SnR spring/summer chinook salmon, threatened SnR fall chinook salmon, threatened LCR chinook salmon, threatened LCR steelhead, threatened LCR steelhead, threatened SnR steelhead, and endangered SnR sockeye salmon. Notice was published on January 2, 2002 (67 FR 62), that USGS applied for an annual take of threatened MCR steelhead under their scientific research permit. NMFS issued an amendment to 1291 on February 21, 2002, to the USGS. Permit 1291 expires on December 31, 2006.

Permit 1292

Notice was published on February 21, 2001 (66 FR 11002), that the USFS in La Grande, OR applied for an annual take of threatened MCR steelhead under their existing permit 1292. On February 21, 2002, NMFS issued an amendment of permit 1292 that authorizes USFS an annual take of this species. The amendment expires on December 31, 2006.

Withdrawn Permit Applications

Permit 1308

Notice was published on May 16, 2001 (66 FR 27076), that the City of Kent Public Works in Kent, WA applied for a scientific research permit. The application for the proposed permit 1308 was withdrawn by the applicant on February 14, 2002.

Permit 1329

Notice was published on July 20, 2000 (66 FR 37947), that the NWFSC applied for scientific research permit 1329. NMFS combined the analysis of the proposed permit 1329 with those in permit 1322 issued to the NWFSC on February 21, 2002, thereby withdrawing permit 1329.

Dated: May 10, 2002.

Margaret Lorenz,

Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 02-12275 Filed 5-15-02; 8:45 am]

BILLING CODE 3510-22-S

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Information Collection; Submission for OMB Review; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (hereinafter the "Corporation") has submitted a public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, (44 U.S.C. Chapter 35). Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Marcia Scott, at (202) 606-5000, extension 100. Individuals who use a telecommunications device for the deaf (TTY-TDD) may call (800) 833-3722 between the hours of 9 a.m. and 5 p.m. Eastern Standard Time, Monday through Friday.

Comments should be sent to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), Attn: Ms. Brenda Aguilar, OMB Desk Officer for the Corporation for National and Community Service, Records Management Center, Room 10102, 725 17th Street, NW., Washington, DC 20503, (202) 395-6929, within 30 days from the date of publication in this **Federal Register**. Due to security measures at OMB, comments sent by mail may be delayed and might not reach Ms. Aguilar within the comment period. Therefore, comments may be faxed to Ms. Aguilar at (202) 395-6974, or sent to her by e-mail at *Brenda-Aguilar@omb.eop.gov*.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;
- Evaluate the accuracy of the Corporation's estimate of the burden of the proposed collection of information,

including the validity of the methodology and assumptions used;

- Propose ways to enhance the quality, utility and clarity of the information to be collected; and
- Propose 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, e.g., permitting electronic submissions of responses.

SUPPLEMENTARY INFORMATION:

Background

The Corporation has the responsibility to evaluate the effectiveness of its program. The Corporation's major initiative is AmeriCorps, the national service program funded at \$360 million annually. While the primary emphasis of AmeriCorps is on providing services to communities and other beneficiaries, of key importance is participant development. AmeriCorps includes the State and National program and the National Civilian Community Corps (NCCC) program. The objectives of this study are to describe the changes in those outcomes over time; to identify factors explaining variation in outcomes at different stages of time; and to identify relationships between selected program features and member outcomes. Outcome domains will include civic engagement, educational skill aspiration and achievements, employment skill aspiration and achievements, and life skills.

The Longitudinal Study of AmeriCorps Member Outcomes is designed to assess the effectiveness of AmeriCorps programs in meeting these objectives—member development outcomes. Previously, the Corporation received OMB approval (OMB #3045-0060, expires September 30, 2002 and #3045-0070, expires September 31, 2003) to launch three rounds of surveys of AmeriCorps members and their counterparts in comparison groups.

Current Action

The Corporation seeks OMB approval to continue to study the impact of AmeriCorps*State and National and AmeriCorps*NCCC. This is a request to add another round of data collection to the study. The purpose of this additional round of data collection is to supplement data collected at baseline and post-program and collect additional information about participation in service prior to AmeriCorps, and the decision-making process concerning enrolling or not enrolling in