

A NMFS-approved and VAFB-designated biologically trained observer will monitor the area for pinnipeds during all harbor activities. During nighttime activities, the harbor area will be illuminated, and the monitor will use a night vision scope. Monitoring activities will consist of:

(1) Conducting baseline observation of pinnipeds in the project area prior to initiating project activities.

(2) Conducting and recording observations on pinnipeds in the vicinity of the harbor for the duration of the activity occurring when tides are low enough for pinnipeds to haul out (2 ft, 0.61 m, or less).

(3) Conducting post-construction observations of pinniped haul-outs in the project area to determine whether animals disturbed by the project activities return to the haul-out.

#### Reporting

Boeing will notify NMFS 2 weeks prior to initiation of each activity. After each activity is completed, Boeing will provide a report to NMFS within 90 days. This report will provide dates and locations of specific activities, details of seal behavioral observations, and estimates of the amount and nature of all takes of seals by harassment or in other ways. In addition, the report will include information on the weather, the tidal state, the horizontal visibility, and the composition (species, gender, and age class) and locations of haul-out group(s). In the unanticipated event that any cases of pinniped injury or mortality are judged to result from these activities, this will be reported to NMFS immediately.

#### Consultation

Under section 7 of the Endangered Species Act, NMFS has begun consultation on the proposed issuance of an IHA. Consultation will be concluded prior to the issuance of an IHA.

Although sea otters are not within the jurisdiction of NMFS, VAFB formally consulted with U.S. Fish and Wildlife Service (FWS) in 1998 on the possible take of southern sea otters during Boeing's harbor activities at south VAFB. A Biological Opinion was issued in August 2001. Southern sea otters were discussed in these documents and FWS recognized that Boeing will restore sea otter habitat (i.e., kelp beds) in the vicinity of the harbor to replace kelp destroyed during dredging. In addition, the FWS noting that VAFB has committed to a southern sea otter monitoring program designed to detect the presence and possible disturbance at

the VAFB harbor area during dredging activities.

#### NEPA

In accordance with section 6.01 of the National Oceanic and Atmospheric Administration (NOAA) Administrative Order 216-6 (Environmental Review Procedures for Implementing the National Environmental Policy Act, May 20, 1999), NMFS has determined based on the content and analysis of Boeing's request for an IHA, and the Final EA for Harbor Activities Associated with the Delta IV Program at VAFB (ENSRI, 2001) that the proposed issuance of this IHA to Boeing by NMFS will not individually or cumulatively result in a significant impact on the quality of the human environment as defined in 40 CFR 1508.27. Impacts are not expected to be outside the scope of that EA. Therefore, this action meets the definition of a "Categorical Exclusion" as defined under NOAA Administrative Order 216-6 and is exempted from further environmental review.

#### Preliminary Conclusions

NMFS proposes to issue an IHA to Boeing for harbor activities related to the Delta IV/EELV to take place at south VAFB over a 1-year period. The proposal to issue this IHA is contingent upon adherence upon the previously mentioned mitigation, monitoring, and reporting requirements. NMFS has preliminarily determined that the impact of harbor activities related to the Delta IV/EELV at VAFB, including: transport vessel operations, cargo movement activities, harbor maintenance dredging, and kelp habitat mitigation will result in the harassment of only small numbers of Pacific harbor seals and California sea lions; would have no more 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. While behavioral modifications may be made by these species to avoid the resultant acoustic and visual stimuli, there is no potential for large-scale movements, such as stampedes, since harbor seals and sea lions haul out in such small numbers near the site (maximum number of harbor seals hauled out in one day estimated at 43 seals, averaging at 21 seals per day, maximum number of sea lions hauled out in one day is estimated at six sea lions). The effects of the harbor activities are expected to be limited to short-term and localized behavioral changes. Therefore, NMFS preliminarily concludes that the effects of the planned demolition activities will

have no more than a negligible impact on pinnipeds.

Due to the localized nature of these activities, the number of marine mammals potentially taken by harassment are estimated to be small. In addition, no take by injury and/or death is anticipated, and the potential for temporary or permanent hearing impairment is unlikely given the low noise levels and will be entirely avoided through the incorporation of appropriate mitigation measures. No rookeries, mating grounds, areas of concentrated feeding, or other areas of special significance for marine mammals occur within or near south VAFB harbor.

#### Information Solicited

NMFS requests interested persons to submit comments and information concerning this request (*see ADDRESSES*). Prior to submitting comments, NMFS recommends readers review NMFS' responses to those comments on this activity submitted previously (*see 67 FR 63151, May 23, 2002*).

Dated: April 2, 2003.

**Thomas C. Eagle,**

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. 03-8686 Filed 4-8-03; 8:45 am]

**BILLING CODE 3510-22-S**

#### DEPARTMENT OF COMMERCE

##### National Telecommunications and Information Administration

[Docket No. 001215353-3068-03]

RIN 0660-ZA14

#### PEACESAT Closing Date

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

**ACTION:** Notice of closing date for solicitation of PEACESAT applications.

**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 television applications for the Public Telecommunications Facilities Program (PTFP), which is also funded from this account, was November 19, 2002. The PTFP deadline was published in the **Federal Register** on October 17, 2002 (67 FR 64297). NTIA also published in the March 5, 2003 **Federal Register** (68 FR 10610) that the deadline for receipt of radio and nonbroadcast applications for the PTFP, which are also funded from this account, will be April 4, 2003.

**DATE:** Applications for the PEACESAT Program grant must be received on or before 5 p.m. EDT on May 9, 2003. 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 carrier error, when the carrier accepted the package with a guarantee for delivery by the closing date, 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 108-7, "The Consolidated Appropriations Resolution, 2003," 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 108-7 appropriated \$43.5 million for this account to be awarded for Public Telecommunications Facilities Program (PTFP) grants and for PEACESAT Program grants. Solicitation notices for the PTFP Program were published in the **Federal Register** on October 17, 2002 (67 FR 64297) for television applications and on March 5, 2003 (68 FR 10610) for radio and nonbroadcast applications. Applications submitted in response to this solicitation for PEACESAT applications are not subject to the requirements of the October 17, 2002 or March 5, 2003 Notices and are exempt from the PTFP regulations at 15 CFR part 2301. NTIA anticipates making a single award for approximately \$500,000 for the PEACESAT Program in FY2003.

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.

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 October 17, 2002 or March 5, 2003 Notices regarding the PTFP Program.

**II. Catalog of Federal Domestic Assistance Number**

11.550 Public Telecommunications Facilities Program.

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

Public Law Number 108-7 was enacted February 20, 2003. Public Law No. 108-7 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 <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 May 9, 2003. NTIA anticipates making the grant award by September 30, 2003. NTIA shall not be liable for any proposal preparation costs.

**IV. Project Period**

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

**V. Other Requirements**

The Department of Commerce Pre-Award Notification of Requirements for Grants and Cooperative Agreements

contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on October 30, 2002 (67 FR 66109), is applicable to this solicitation.

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.

#### VI. Executive Order 12866

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

#### VII. 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.

#### VIII. Regulatory Flexibility Analysis

Because notice and comment are not required under 5 U.S.C. 553, or any other law, for this notice related to public property, loans, grants, benefits or contracts, 5 U.S.C. 553(a), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice. 5 U.S.C. 601 *et seq.*

**Authority:** Pub. L. 108-7, "The Consolidated Appropriations Resolution, 2003," and Public Law 106-113, "The Consolidated Appropriations Act, Fiscal Year 2000."

#### Dr. Bernadette McGuire-Rivera,

*Associate Administrator, Office of Telecommunications and Information Applications.*

[FR Doc. 03-8678 Filed 4-8-03; 8:45 am]

**BILLING CODE 3510-60-P**

#### PATENT AND TRADEMARK OFFICE

##### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**AGENCY:** United States Patent and Trademark Office (USPTO).

**Title:** Admittance to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice Before the United States Patent and Trademark Office (USPTO).

**Form Number(s):** PTO-158, PTO-158A, PTO-275, PTO-107A, PTO-1209, PTO-2126.

**Agency Approval Number:** 0651-0012.

**Type of Request:** Revision of a currently approved collection.

**Burden:** 58,745 hours annually.

**Number of Respondents:** 64,142 responses per year.

**Avg. Hours Per Response:** The USPTO estimates that it will take the public approximately 30 minutes (0.5 hours) to complete either an application or registration to practice before the USPTO, or an application for a foreign resident to practice before the USPTO and, depending upon the complexity of the situation, to gather, prepare and submit the application. It is estimated to take 20 minutes (0.33 hours) to complete undertakings under 37 CFR 10.10(b); 10 minutes (0.17 hours) to complete data sheets; 5 minutes (0.08 hours) to complete the oath or affirmation, and the request for a paper copy of the continuing training program and furnished narrative; 45 minutes (0.75 hours) to complete the petition for waiver of regulations; and 90 minutes (1.5 hours) to complete the written request for reconsideration of disapproval notice of application and the petition for reinstatement to practice. It is estimated to take 2 hours and 10 minutes (2.17 hours) for the annual practitioner registration/continuing training program—ten minutes (0.17 hours) to fill out the form and an average of 2 hours (2.0 hours) to complete the continuing training examination online. It is estimated to take 2 hours and 5 minutes (2.08 hours) for the paper-based version of the annual practitioner registration/continuing training program—five minutes (0.08 hours) to request the materials and an average of 2 hours (2.0 hours) to complete the continuing training examination on paper. These times include time to gather the necessary information, prepare, and submit the forms and requirements in this collection.

**Needs and Uses:** This information is required by 35 U.S.C. 2(b)(2)(d), administered by the USPTO through 37 CFR 10.5-10.19. The information is used by the Director of the Office of Enrollment and Discipline (OED) to determine if the applicant for registration is of good moral character and repute; has the necessary legal, scientific, and technical qualifications; and is otherwise competent to advise and assist applicants in the presentation and prosecution of applications for patent grants.

**Affected Public:** Individuals or households; business or other for-profit; the Federal Government; and State, Local or Tribal Governments.

**Frequency:** On occasion.

**Respondent's Obligation:** Required to obtain or retain benefits.

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of Data Architecture and Services, Data Administration Division, (703) 308-7400, USPTO, Suite 310, 2231 Crystal Drive, Washington, DC 20231, or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before May 9, 2003 to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: April 1, 2003.

**Susan K. Brown,**

*Records Officer, USPTO, Office of Data Architecture and Services, Data Administration Division.*

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**BILLING CODE 3510-16-P**

#### DEPARTMENT OF DEFENSE

##### Office of the Secretary

##### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**DATES:** Consideration will be given to all comments received by May 9, 2003.

**Title, Form Number, and OMB Number:** International Military Student Information; DD Form 2339; OMB Number 0702-0064.

**Type of Request:** Reinstatement.

**Number of Respondents:** 3,000.

**Responses Per Respondent:** 1.

**Annual Responses:** 3000.

**Average Burden Per Resonse:** 15 minutes (average).

**Annual Burden Hours:** 750 hours.

**Needs and Uses:** The DD Form 2399 is required in support of international military students who are attending training in the United States with the Military Departments as part of the security assistance training program. The DD Form 2399 is utilized in