

rebut an express or implied charge against the declarant of recent fabrication or improper influence or motive.” Unlike Rule 801(d)(1)(A), the earlier consistent statement need not have been made under oath or at any type of proceeding. On its face, the Rule does not require that the consistent statement offered have been made prior to the time the improper influence or motive arose or prior to the alleged recent fabrication. Notwithstanding this, the Supreme Court has read such a requirement into the rule. *Tome v. United States*, 513 U.S. 150 (1995); see also *United States v. Allison*, 49 M.J. 54 (C.A.A.F. 1998). The limitation does not, however, prevent admission of a consistent statement made after an inconsistent statement but before the improper influence or motive arose. *United States v. Scholle*, 553 F. 2d 1109 (8th Cir. 1977). Rule 801(d)(1)(B) provides a possible means to admit evidence of fresh complaint in prosecution of sexual offenses. Although limited to circumstances in which there is a charge, for example, of recent fabrication, the Rule, when applicable, would permit not only fact of fresh complaint, as is presently possible, but also the entire portion of the consistent statement.”

Dated: September 18, 2007.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, DoD.*

[FR Doc. E7-18787 Filed 9-21-07; 8:45 am]

**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Science Board

**AGENCY:** Department of Defense.

**ACTION:** Notice of Advisory Committee meetings.

**SUMMARY:** The Defense Science Board Task Force on Nuclear Weapons Surety will meet in closed session on October 10–11, 2007; at the Institute for Defense Analyses, 4850 Mark Center Drive, Alexandria, VA.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. At the meeting, the Defense Science Board Task Force will: Assess all aspects of nuclear weapons surety; continue to build on the work of the former Joint Advisory Committee on Nuclear

Weapons Surety, the Nuclear C2 System End-to-End Review and the Drell Panel; and review and recommend methods and strategies to maintain a safe, secure and viable nuclear deterrent.

The task force’s findings and recommendations, pursuant to 41 CFR 102–3.140 through 102–3.165, will be presented and discussed by the membership of the Defense Science Board prior to being presented to the Government’s decision maker.

Pursuant to 41 CFR 102–3.120 and 102–3.150, the Designated Federal Officer for the Defense Science Board will determine and announce in the **Federal Register** when the findings and recommendations of the October 10–11, 2007, meeting are deliberated by the Defense Science Board.

Interested persons may submit a written statement for consideration by the Defense Science Board. Individuals submitting a written statement must submit their statement to the Designated Federal Official at the address detailed below; at any point, however, if a written statement is not received at least 10 calendar days prior to the meeting, which is the subject of this notice, then it may not be provided to or considered by the Defense Science Board. The Designated Federal Official will review all timely submissions with the Defense Science Board Chairperson, and ensure they are provided to members of the Defense Science Board before the meeting that is the subject of this notice.

**FOR FURTHER INFORMATION CONTACT:** Mr. David McDarby, HQ DTRA/OP–CSNS, 8725 John J. Kingman Road, Stop 6201, Ft. Belvoir, VA 22060; via e-mail at [david.mcdarby@dtra.mil](mailto:david.mcdarby@dtra.mil); or via phone at (703) 767–4364.

Dated: September 17, 2007.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 07-4707 Filed 9-21-07; 8:45 am]

**BILLING CODE 5001-06-M**

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The IC Clearance Official, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before October 24, 2007.

**ADDRESSES:** Comments should be e-mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to (202) 245–6623. Commenters should include the following subject line in their response “Comment: [insert OMB number], [insert abbreviated collection name, e.g., “Upward Bound Evaluation”]. Persons submitting comments electronically should not submit paper copies.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency’s ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: September 18, 2007.

**James Hyler,**

*Acting Leader, Information Management Case Services Team, Regulatory Information Management Services, Office of Management.*

### Institute of Education Sciences

*Type of Review:* Revision.

*Title:* National Assessment of Educational Progress 2008–2010 Operational and Pilot Surveys System Clearance—Wave 3.

*Frequency:* One time.

*Affected Public:* Individuals or household; not-for-profit institutions; State, Local, or Tribal Gov’t, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 3,270.

*Burden Hours:* 1,082.

*Abstract:* These materials are questionnaires to be used in 2008 for the NAEP for administrators/teachers to complete to describe students identified

as English language learners or students with disabilities. The materials in this clearance constitute Wave 3 of the 2008 materials.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3461. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-245-6623. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E7-18726 Filed 9-21-07; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

September 18, 2007.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP00-426-031.

*Applicants:* Texas Gas Transmission, LLC.

*Description:* Texas Gas Transmission, LLC submits Third Revised Sheet 52 et al to FERC Gas Tariff, Second Revised Volume 1.

*Filed Date:* 09/17/2007.

*Accession Number:* 20070917-0178.

*Comment Date:* 5 p.m. Eastern Time on Monday, October 1, 2007.

*Docket Numbers:* RP96-312-168.

*Applicants:* Tennessee Gas Pipeline Company.

*Description:* Tennessee Gas Pipeline Co submits its Ninth Revised Sheet 413A to its FERC Gas Tariff, Fifth Revised Volume 1, in compliance with FERC's 2/15/07 Order.

*Filed Date:* 09/14/2007.

*Accession Number:* 20070917-0196.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, September 26, 2007.

*Docket Numbers:* RP99-301-164.

*Applicants:* ANR Pipeline Company.

*Description:* ANR Pipeline Co submits Rate Schedule FTS-1 negotiated rate service agreement with CenterPoint Energy Services, Inc, to be effective 11/1/07.

*Filed Date:* 09/14/2007.

*Accession Number:* 20070917-0202.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, September 26, 2007.

*Docket Numbers:* RP99-301-165.

*Applicants:* ANR Pipeline Company.

*Description:* ANR Pipeline Co submits Rate Schedule FTS-1 negotiated rate service agreements with Tenaska Gas Storage, LLC.

*Filed Date:* 09/14/2007.

*Accession Number:* 20070917-0203.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, September 26, 2007.

*Docket Numbers:* RP99-301-166.

*Applicants:* ANR Pipeline Company.

*Description:* ANR Pipeline Co submits Rate Schedule FTS-1 negotiated rate service agreements with Nexen Marketing U.S.A. Inc.

*Filed Date:* 09/14/2007.

*Accession Number:* 20070917-0204.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, September 26, 2007.

*Docket Numbers:* RP07-525-002.

*Applicants:* Energy West Development, Inc.

*Description:* Energy West Development, Inc submits Second Revised Sheet 29, superceding Substitute First Revised Sheet 29.

*Filed Date:* 09/13/2007.

*Accession Number:* 20070917-0179.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, September 25, 2007.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the

FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed dockets(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Nathaniel J. Davis, Sr.,**

*Acting Deputy Secretary.*

[FR Doc. E7-18741 Filed 9-21-07; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

September 5, 2007.

Take notice that the Commission received the following electric corporate filings:

*Docket Numbers:* EC07-127-000.

*Applicants:* Klamath Energy LLC, PPM Energy, Inc.

*Description:* PPM Energy, Inc *et al.* submits an application for authorization for a transaction under section 203 of the Federal Power Act and request for waivers, 21-day comment period etc.

*Filed Date:* 08/31/2007.

*Accession Number:* 20070904-0297.

*Comment Date:* 5 p.m. Eastern Time on Friday, September 21, 2007.

*Docket Numbers:* EC07-128-000.

*Applicants:* Iberdrola Renewable Energies USA, Ltd., PPM Energy, PPM Wind Energy LLC, Aeolus Wind Power IV LLC, Klondike Wind Power III LLC, MinnDakota Wind LLC, Northern Iowa Windpower II, LLC.