

Fund. The Board shall report annually to the Secretary of Defense periodically, but no less than once every four years, to the President and the Congress on the status of the Fund to include recommendations for such changes as in the Board's judgment are necessary to protect the public interest and maintain the Fund on a sound actuarial basis.

The Board shall be composed of not more than three members appointed by the Secretary of Defense from among qualified professional actuaries who are members of the Society of Actuaries. The Board Members shall serve for a term of 15 years; except those Board Members appointed to fill a vacancy occurring before the end of the term for which the predecessor was appointed shall serve only until the end of such term. Board Members may serve after the end of the term until a successor has taken office. No Board Member, other than those originally appointed for less than a 15-year term or a Board Member appointed to fill an unexpired term may be reappointed for successive terms.

Board Members appointed by the Secretary of Defense, who are not full-time or permanent part-time federal employees, are appointed as experts and consultants under the authority of 5 U.S.C. 3109, and shall serve as Special Government employees. Pursuant to 10 U.S.C. 1114(a)(3), the members shall serve with compensation to include travel and per diem for official travel. The Chairperson of the Board shall be designated by the Under Secretary of Defense (Personnel and Readiness), on behalf of the Secretary of Defense.

The Board is authorized to establish Subcommittees or Working Groups, as necessary and consistent with its mission, and these Subcommittees or Working Groups shall operate under the provisions of the Federal Advisory Committee Act, the Government in the Sunshine Act of 1976, and other appropriate federal regulations.

Such Subcommittees or Working Groups shall not work independently of the chartered Board, and shall report their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or Working Groups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Agency or any Federal officers or employees who are not Board Members.

**FOR FURTHER INFORMATION CONTACT:**

Contact Jim Freeman, Deputy Committee Management Officer for the Department of Defense, 703-601-6128.

**SUPPLEMENTARY INFORMATION:** The Board shall meet at the call of the Board's Designated Federal Officer, in

consultation with the Board's Chairperson. The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. The Designated Federal Officer or duly appointed Alternate Designated Federal Officer shall attend all committee meetings and subcommittee meetings.

Pursuant to 41 CFR 102-3.105(j) and 102-3.140, the public or interested organizations may submit written statements to the Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries membership about the Board's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries.

All written statements shall be submitted to the Designated Federal Officer for the Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries, and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries' Designated Federal Officer can be obtained from the GSA's FACA Database—<https://www.fido.gov/facadatabase/public.asp>.

The Designated Federal Officer, pursuant to 41 CFR 102-3.150, will announce planned meetings of the Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries. The Designated Federal Officer, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

Dated: December 19, 2008.

**Patricia L. Toppings,**

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

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**DEPARTMENT OF DEFENSE**

**Department of the Army, Corps of Engineers**

**Notice of Availability for the Final Environmental Impact Statement/ Environmental Impact Report and a Draft General Conformity Determination for the Berths 97-109 [China Shipping] Container Terminal Project, Port of Los Angeles, Los Angeles County, CA**

**AGENCY:** Department of the Army—U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** On April 30, 2008, the U.S. Army Corps of Engineers, Los Angeles District, Regulatory Division (Corps) in coordination with the Los Angeles Harbor Department (LAHD) completed and published the Recirculated Draft Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) for the Berths 97-109 [China Shipping] Container Terminal Project (Project) in the Port of Los Angeles. The Corps and LAHD considered all comments received in preparing the Final EIS/EIR, which is available for a 30-day review. The Final EIS/EIR includes a draft general conformity determination (see Section 3.2 and Appendix P), pursuant to Section 176(c) of the Clean Air Act. A general conformity determination is necessary because Project construction would require Federal action (i.e., issuance of a Corps permit for activities proposed in and over navigable waters and waters of the U.S.) and not all the Federal action's direct and indirect emissions would be below specified de minimis thresholds (40 CFR 93.153(b)). Pursuant to the general conformity regulations (40 CFR Part 93 Subpart B), general conformity determinations do not have to be included in the EIS and can be separately noticed, but the draft general conformity determination for the Federal action associated with the Project is being included in the Final EIS/EIR in this case.

The Final EIS/EIR, including the draft general conformity determination, is available for public review during the next 30 days at the Los Angeles Harbor Department, 425 South Palos Verdes Street, San Pedro, California, on the Port's Web site: <http://www.portoflosangeles.org>, and on the Corps' Web site: <http://www.spl.usace.army.mil/regulatory/POLA.htm> (scroll down to the links under China Shipping Project). In addition, the Final EIS/EIR, including the draft general conformity determination, is available at the

following libraries: L.A. Public Library, Central Branch, 630 West 5th Street, Los Angeles, California; L.A. Public Library, San Pedro Branch, 921 South Gaffey Street, San Pedro, California; and L.A. Public Library, Wilmington Branch, 1300 North Avalon, Wilmington, California.

Any comments received by the Corps and LAHD on the Final EIS/EIR or the included draft general conformity determination during the next 30 days will be considered fully before the Corps makes a final general conformity determination and finalizes the Record of Decision (ROD) for the Federal action associated with the Project. The Corps will publish a notice of a final general conformity determination in the **Federal Register** within 30 days of rendering a final decision. The public can request from the Corps copies of the ROD, which includes responses to comments on the Final EIS/EIR, including any on the draft general conformity determination, following publication of a final general conformity determination and upon execution of the ROD.

**FOR FURTHER INFORMATION CONTACT:** Questions or comments concerning the Final EIS/EIR or the included draft general conformity determination should be directed within the next 30 days to Dr. Spencer D. MacNeil, Senior Project Manager, North Coast Branch, Regulatory Division, U.S. Army Corps of Engineers, 2151 Alessandro Drive, Suite 110, Ventura, California 93001, (805) 585-2152.

**SUPPLEMENTARY INFORMATION:** None.

**David J. Castanon,**

*Chief, Regulatory Division, Los Angeles District.*

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**BILLING CODE 3710-KF-P**

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## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Director, Information Collection Clearance Division, 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 January 28, 2009.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer,

Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

**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 Acting 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: December 22, 2008.

**James Hyler,**

*Acting IC Clearance Official, Regulatory Information Management Services, Office of Management.*

### Office of Special Education and Rehabilitative Services

*Type of Review:* Extension.

*Title:* Quarterly Cumulative Caseload Report (RSA-113).

*Frequency:* Quarterly.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 80.

*Burden Hours:* 320.

*Abstract:* State agencies that administer vocational programs provide key caseload data on this form, including numbers of persons who are applicants, determined eligible/ineligible, waiting for services, and also their program outcomes. Rehabilitation Services Administration (RSA) collects this information quarterly from states and reports it in the Annual Report to Congress on the Rehabilitation Act.

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 3873. 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., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to the Internet address [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. 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.

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**BILLING CODE 4000-01-P**

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## ELECTION ASSISTANCE COMMISSION

**Agency Information Collection Activities: Proposed Collection, Comment Request; Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance From the U.S. Election Assistance Commission; Nondiscrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance From the U.S. Election Assistance Commission**

**AGENCY:** U.S. Election Assistance Commission (EAC).

**ACTION:** Notice and request for comments.

**SUMMARY:** The EAC, as part of its continuing effort to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on proposed information collections; and recordkeeping requirements. Comments are invited on: (a) Whether the proposed collections of information and/or recordkeeping requirements are necessary for the proper performance of the agency's functions, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collections and/or recordkeeping requirements, including the validity of the methodology and assumptions used; (c) ways to enhance