

## I. Abstract

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) provides for the nomination for members of Fishery Management Councils by state governors and Indian treaty tribes, for the designation of a principal state fishery official who will perform duties under the Magnuson-Stevens Act, and for a request by a state for reinstatement of state authority over a managed fishery. Nominees must provide the governor or tribe with the background documentation which is then submitted to NOAA with the nomination. The information submitted with these actions will be used to ensure that the requirements of the Magnuson-Stevens Act are met.

## II. Method of Collection

Information is submitted on paper documents.

## III. Data

OMB Control Number: 0648-0314.

Form Number: None.

Type of Review: Regular submission.

Affected Public: State, local or tribal government.

Estimated Number of Respondents: 275.

Estimated Time Per Response: 1 hour to designate a principal state fishery official(s); 80 hours for a nomination for a Council appointment; 16 hours for background documentation for nominees; and 1 hour for a request to reinstate state authority.

Estimated Total Annual Burden Hours: 4,607.

Estimated Total Annual Cost to Public: \$800 (recordkeeping/reporting costs).

## IV. Request for Comments

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 (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection;

they also will become a matter of public record.

Dated: January 6, 2008.

### Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E9-161 Filed 1-8-09; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XM61

#### Marine Mammals; File No. 1128-1922

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that Eduardo Mercado III, Ph.D., Department of Psychology, 350 Park Hall, University at Buffalo, SUNY, Buffalo, New York, 14260, has been issued a permit to conduct research on humpback whales (*Megaptera novaengliae*).

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following offices:

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)427-2521 and Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, Florida 33701; phone (727)824-5312; fax (727)824-5309.

#### FOR FURTHER INFORMATION CONTACT:

Amy Hapeman or Carrie Hubard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On August 21, 2007, notice was published in the **Federal Register** (72 FR 46610) that a request for a scientific research permit to take humpback whales, had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), 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 regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

Dr. Mercado is authorized a five-year scientific research permit to conduct acoustic playback sessions in the

presence of humpback whales and approach animals to record whale songs in the coastal waters of Puerto Rico. The purpose of this research is to develop methods for testing the hearing and auditory perceptual capabilities of humpback whales in order to better predict when anthropogenic sounds may interfere with social behaviors, particularly mating and group feeding. Up to 200 humpback whales may be harassed by playback experiments (active acoustics) three times per year and up to 30 additional humpbacks may be harassed by close approach during vessel surveys for passive acoustic recordings annually. In addition, up to 5 humpback whales, 45 Stenellid dolphins (*Stenella* spp.), 45 common dolphins (*Delphinus delphis*), 45 bottlenose dolphins (*Tursiops truncatus*), and 5 Cuvier's beaked whales (*Ziphius cavirostris*) may be incidentally harassed up to three times annually during playback sessions.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the permitted activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Issuance of this permit, 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 such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: January 2, 2009.

#### P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E9-234 Filed 1-8-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN: 0648-XM57

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Pacific Fishery Management Council's (Council) Groundfish Allocation Committee

(GAC) will hold a working meeting, which is open to the public.

**DATES:** The GAC meeting will be held Tuesday, January 27, 2009, from 8:30 a.m. until business for the day is completed. The GAC will reconvene on Wednesday, January 28 and Thursday, January 29, 2009, at 8:30 a.m. each day until their business is completed.

**ADDRESSES:** The GAC meeting will be held at the Shilo Inn Portland Airport, Mt. Hood Room, 11707 NE Airport Way, Portland, OR 97220; telephone: +(503) 252-7500.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Mr. John DeVore, Groundfish Management Coordinator; telephone: (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** The purpose of the GAC meeting is to consider draft alternatives and other material for a contemplated allocation of future harvests of selected groundfish species and stock complexes to limited entry trawl sectors and other sectors of the west coast groundfish fishery; accumulation and control limits for individual fishing quotas assigned to limited entry trawl permit holders in a contemplated rationalized shoreside trawl sector; and a new limited entry licensing system for west coast open access groundfish fisheries (open access license limitation). No management actions will be decided by the GAC. The GAC's role will be development of recommendations and preferred alternatives for analysis in contemplated NEPA-compliant environmental analyses for these three initiatives. The GAC recommendations will be provided for consideration by the Council at its March and April 2009 meetings in Seattle, Washington and Millbrae, CA, respectively.

Although non-emergency issues not contained in the meeting agenda may come before the GAC for discussion, those issues may not be the subject of formal GAC action during this meeting. GAC action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the GAC's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other

auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

Dated: January 5, 2008.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-143 Filed 1-8-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) will submit 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:* Public Key Infrastructure (PKI) Certificate Action Form.

*Form Number(s):* PTO-2042.

*Agency Approval Number:* 0651-0045.

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

*Burden:* 1,383 hours annually.

*Number of Respondents:* 4,126 responses per year.

*Avg. Hours Per Response:* The USPTO estimates that it will take the public approximately 30 minutes (0.5 hours) to read the instructions and subscriber agreement, gather the necessary information, prepare the Certificate Action Form, and submit the completed request. The USPTO estimates that it will take the public approximately 10 minutes (0.17 hours) to complete and electronically submit the information required for certificate self-recovery.

*Needs and Uses:* The USPTO uses Public Key Infrastructure (PKI) technology to support electronic commerce between the USPTO and its customers. In order to access secure online systems offered by the USPTO for transactions such as electronic filing of patent applications and retrieving confidential patent application information, customers must first obtain a digital certificate. The public uses this collection to request a new digital certificate, the revocation of a current certificate, or the recovery of a lost certificate. This collection includes the existing Certificate Action Form (PTO-2042), which is provided by the USPTO to ensure that customers submit the necessary information for processing certificate requests. The accompanying

subscriber agreement explains the regulations governing the use of the digital certificates and the software that creates and validates the encryption keys. The online self-recovery form allows the public to recover lost keys without having to contact support staff at the USPTO.

*Affected Public:* Individuals or households; businesses or other for-profits; and not-for-profit institutions.

*Frequency:* On occasion.

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

*OMB Desk Officer:* Nicholas A. Fraser, e-mail:

*Nicholas\_A.Fraser@omb.eop.gov.*

Once submitted, the request will be publicly available in electronic format through the Information Collection Review page at <http://www.reginfo.gov>.

Paper copies can be obtained by:

- *E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov). Include "0651-0045 PKI Certificate Action Form copy request" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan K. Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before February 9, 2009, to Nicholas A. Fraser, OMB Desk Officer, via e-mail at [Nicholas\\_A.Fraser@omb.eop.gov](mailto:Nicholas_A.Fraser@omb.eop.gov), or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: January 5, 2009.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division.*

[FR Doc. E9-185 Filed 1-8-09; 8:45 am]

**BILLING CODE 3510-16-P**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Determination under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR Agreement)

January 5, 2009.

**AGENCY:** The Committee for the Implementation of Textile Agreements.