

addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

**FOR FURTHER INFORMATION CONTACT:** Jolie Harrison, Office of Protected Resources, NMFS, (301) 713-2289, ext. 166.

**SUPPLEMENTARY INFORMATION:**

**Availability**

A copy of the Navy's application may be obtained by writing to the address specified above

(See **ADDRESSES**), telephoning the contact listed above (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. The Navy's Draft Environmental Impact Statement (DEIS) for NWTRC was made available to the public on December 26, 2008, and may be viewed at <http://www.nwtrangecomplexeis.com/>. During the initial 45-day public comment period, the Navy hosted five public hearings. The comment period was subsequently extended 30 days and another public hearing was held at an additional location.

**Background**

In the case of military readiness activities, sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) if certain findings are made and regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Authorization for incidental takings may be granted if NMFS finds that the taking will have no more than a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses, and that the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such taking are set forth.

NMFS has defined "negligible impact" in 50 CFR 216.103 as:

an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

With respect to military readiness activities, the MMPA defines "harassment" as:

(i) any act that injures or has the significant potential to injure a marine mammal or marine mammal stock in the wild [Level A Harassment]; or (ii) any act that disturbs or

is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to, migration, surfacing, nursing, breeding, feeding, or sheltering, to a point where such behavioral patterns are abandoned or significantly altered [Level B Harassment].

**Summary of Request**

In September, 2008, NMFS received an application from the Navy requesting authorization to take individuals of 32 species of marine mammals (4 pinniped and 28 cetacean) incidental to upcoming training and RDT&E activities to be conducted in the NWTRC (off the coasts of Washington, Oregon, and northern California) over the course of 5 years. These training and RDT&E activities are classified as military readiness activities. The Navy states that these training activities may expose some of the marine mammals present in the area to sound from various mid-frequency and high-frequency active tactical sonar sources or to pressure from underwater detonations. The Navy requests authorization to take individuals of 32 species of marine mammals by Level B Harassment.

**Specified Activities**

In the application submitted to NMFS, the Navy requests authorization to take marine mammals incidental to conducting training events and RDT&E utilizing mid- and high frequency active sonar sources and explosive detonations. These sonar and explosive sources will be utilized during Anti-submarine Warfare (ASW) Tracking Exercises, Mine Avoidance Training, Extended Echo Ranging and Improved Extended Echo Ranging (EER/IEER) events, Missile Exercises, Gunnery Exercises, Bombing Exercises, Sinking Exercises, and Mine Warfare Training. Table 1-1 in the application lists the activity types, the equipment and platforms involved, and the duration and potential locations of the activities.

**Information Sought**

Interested persons may submit information, suggestions, and comments concerning the Navy's request (see **ADDRESSES**). All information, suggestions, and comments related to the Navy's NWTRC request and NMFS' potential development and implementation of regulations governing the incidental taking of marine mammals by the Navy's NWTRC activities will be considered by NMFS in developing, if appropriate, the most effective regulations governing the issuance of letters of authorization.

Dated: March 6, 2009.

**P. Michael Payne,**

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

[FR Doc. E9-5287 Filed 3-10-09; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF EDUCATION**

**Notice of Proposed Information Collection Requests**

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before May 11, 2009.

**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 Director, 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.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be

collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: March 6, 2009.

**Stephanie Valentine,**

*Acting Director, Information Collections Clearance Division, Regulatory Information Management Services, Office of Management.*

**Federal Student Aid**

*Type of Review:* Revision.

*Title:* William D. Ford Federal Direct Loan (Direct Loan) Program: Alternative Documentation of Income.

*Frequency:* On Occasion.

*Affected Public:* Individuals or household.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 405,577.

*Burden Hours:* 81,115.

*Abstract:* This form serves as the means by which a borrower who is repaying Direct Loan Program loans under the Income-Contingent Repayment (ICR) Plan or the Income-Based Repayment (IBR) Plan grants permission for the Internal Revenue Service (IRS) to provide the U.S. Department of Education (the Department) with a borrower's tax return information so that the Department can determine borrower eligibility and monthly loan payment amount for the ICR and IBR Plans. Under Direct Loan Program regulations, a borrower's tax information is used to calculate the monthly loan payment amount under the ICR and IBR plans.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3977. 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 [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.

[FR Doc. E9-5297 Filed 3-10-09; 8:45 am]

BILLING CODE 4000-01-P

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Dated: March 6, 2009.

**Stephanie Valentine,**

*Acting Director, Information Collections Clearance Division, Regulatory Information Management Services, Office of Management.*

**Federal Student Aid**

*Type of Review:* Revision.

*Title:* Fiscal Operations Report for 2008-2009 and Application to Participate for 2010-2011 (FISAP) and Reallocation Form E40-4P.

*Frequency:* Annually.

*Affected Public:* Businesses or other for-profit; Federal Government; Not-for-profit institutions.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 5,798.

*Burden Hours:* 32,693.

*Abstract:* This application data will be used to compute the amount of funds needed by each school for the 2010-2011 award year. The Fiscal Operations Report data will be used to assess program effectiveness, account for funds expended during the 2008-2009 award year, and as part of the school funding process. The Reallocation form is part of the FISAP on the Web. Schools will use it in the summer to return unexpended funds for 2008-2009 and request supplemental FWS funds for 2009-2010.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3962. 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 [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.

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[FR Doc. E9-5300 Filed 3-10-09; 8:45 am]

BILLING CODE 4000-01-P

**ELECTION ASSISTANCE COMMISSION**

**Sunshine Act Notice**

**AGENCY:** U.S. Election Assistance Commission.