

**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Docket ID DoD-2009-HA-0174]

**Proposed Collection; Comment Request**

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs, DoD.

**ACTION:** Notice.

**SUMMARY:** In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense for Health Affairs announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by January 22, 2010.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to TRICARE Management Activity, Office of the Chief Information Officer, Portfolio Management Division, 5205 Leesburg Pike, Suite 1100, ATTN: Tina Beletsky, Fairfax, VA 22401-3206

or call TMA, Portfolio Management Division, at 703.681.8448 x1212.

*Title; Associated Form; and OMB Number:* Military Health System Information Systems User Satisfaction Survey; OMB Control Number 0720-TBD.

*Needs and Uses:* The information collection requirement is part of the Military Health System (MHS) Office of the Chief Information Officer (OCIO) Annual Performance Planning and Reporting to gather and report user satisfaction across 20 deployed MHS Information Systems using a standardized approach in a repeatable process for continued monitoring of user satisfaction using established quantifiable outcome based performance measures.

*Affected Public:* Department of Defense, Military Health Systems Contractors.

*Annual Burden Hours:* 480.

*Number Of Respondents:* 1,920 (480 respondents surveyed each quarter).

*Responses Per Respondent:* 1.

*Average Burden Per Response:* 15 minutes.

*Frequency:* Quarterly Survey.

**SUPPLEMENTARY INFORMATION:****Summary of Information Collection**

Respondents are Military Health System (MHS) contractors employed at Army, Navy, or Air Force Medical Treatment Facilities; Army, Navy or Air Force Command Headquarters; Army or Air Force Surgeon General Office; Navy Bureau of Medicine or TRICARE Management Activity Headquarters who use any one of the 20 deployed MHS information systems. As part of the Annual Performance Planning, the Office of the Chief Information Officer needs to gather user satisfaction data across 20 MHS information systems using standardized metrics for comparisons between the different systems/applications and for longitudinal comparison of each system/application over time. The user satisfaction data are reported on a quarterly basis. Although, the survey will be conducted quarterly, individual users are selected annually or less.

Dated: November 18, 2009.

**Mitchell S. Bryman,**

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

[FR Doc. E9-28028 Filed 11-20-09; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****Notice of Intent To Grant an Exclusive License; Axester, Limited Liability Company**

**AGENCY:** National Security Agency, DoD.

**ACTION:** Notice.

**SUMMARY:** The National Security Agency hereby gives notice of its intent to grant Axester, Limited Liability Company, a revocable, non-assignable, exclusive, license to practice the following Government-Owned invention as described in U.S. Patent No. 5,396,641 entitled: "Reconfigurable Memory Processor," issued by the U.S. Patent & Trademark Office on March 7, 1995, in the field of memory processors. The above-mentioned invention is assigned to the United States Government as represented by the National Security Agency.

**DATES:** Anyone wishing to object to the grant of this license has fifteen (15) days from the date of this notice to file written objections along with any supporting evidence, if any.

**ADDRESSES:** Written objections are to be filed with the National Security Agency Technology Transfer Program, 9800 Savage Road, Suite 6541, Fort George G. Meade, MD 20755-6541.

**FOR FURTHER INFORMATION CONTACT:** Marian T. Roche, Director, Technology Transfer Program, 9800 Savage Road, Suite 6541, Fort George G. Meade, MD 20755-6541, telephone (443) 479-9569.

Dated: November 18, 2009.

**Mitchell S. Bryman,**

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

[FR Doc. E9-28061 Filed 11-20-09; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE****Department of the Navy****Notice of Availability for Donation of the Aircraft Carrier ex-JOHN F. KENNEDY (CV 67)**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy (DoN) hereby gives notice of the availability for donation, under the authority of 10 U.S.C. 7306, of the aircraft carrier ex-JOHN F. KENNEDY (CV 67), located at the NAVSEA Inactive Ships On-site Maintenance Office, Philadelphia, PA.

**DATES:** The deadline for submission of a Letter of Intent and Executive Summary is sixty (60) days from the date of this notice.

**SUPPLEMENTARY INFORMATION:** Under the authority of 10 U.S.C. 7306, eligible recipients for the transfer of a vessel for donation include: (1) Any State, Commonwealth, or possession of the United States or any municipal corporation or political subdivision thereof; (2) the District of Columbia; or (3) any not-for-profit or nonprofit entity.

The transfer of a vessel for donation under 10 U.S.C. 7306 shall be at no cost to the United States Government.

The donee will be required to maintain ex-JOHN F. KENNEDY as a stationary display in a condition that is satisfactory to the Secretary of the Navy.

The Navy has revised its ship donation application process, which applies to ex-JOHN F. KENNEDY. Phase I documentation consists of a Letter of Intent and an Executive Summary which must be submitted within sixty (60) days of this **Federal Register** notice. The Navy will provide written notification to those whose Phase I documentation is acceptable to submit Phase II documentation consisting of Business/Financial and Environmental plans, within twelve (12) months of such notice. The Navy will provide written notification to those whose Phase II documentation is acceptable to submit Phase III documentation consisting of Towing, Mooring, Maintenance, and Curatorial/Museum plans, within six (6) months of such notice. Applicants who fail to meet the minimum requirements at any phase may be disqualified from participating in the next phase of these ship donation opportunities.

**Actions Required:** Within sixty (60) days of this **Federal Register** notice, applicants must complete and submit Phase I documentation for ex-JOHN F. KENNEDY consisting of a Letter of Intent and Executive Summary. The minimum requirements are identified herein. Applicants are advised to take special notice of page length limitations for Phase I documentation.

Phase I of the ship donation application process must include the following documentation addressing the following areas:

a. *Letter of Intent:* The Letter of Intent must include the following:

(1) Identify the specific vessel sought for donation (ex-JOHN F. KENNEDY (CV 67));

(2) Include a statement that the vessel will be used as a stationary public display as a museum or memorial without activating any system aboard

the vessel for the purpose of navigation or movement of the vessel;

(3) Identify the proposed permanent berthing location for the vessel to be used as a stationary public display, identify the current property owner of the proposed permanent berthing location, and provide evidence from the current property owner of its intent to make the proposed permanent berthing location available to the applicant;

(4) Include a statement that the applicant understands and agrees that it will be solely responsible to obtain, repair, and maintain the vessel used as a stationary public display at its own expense, in a condition satisfactory to the Secretary of the Navy, in compliance with all Federal, State, and local laws, that no expense shall be incurred by the United States Government, and that the applicant will not seek financing from the United States Government;

(5) Include a statement that the applicant understands and agrees to take delivery of the vessel in an "as is/where is" condition, and assume all costs associated with the vessel's removal from Navy custody, including, but not limited to, towing, insurance, berthing, restoration, maintenance and repair, periodic dry-docking, and, ultimately, ship dismantling in the United States;

(6) Include a statement that the applicant will not use the vessel as a stationary public display other than as stated, or destroy, transfer, or otherwise dispose of such vessel or any artifacts without the written approval of the Secretary of the Navy or his designee;

(7) Include a statement that the applicant will agree to indemnify, hold harmless, and defend the Government from and against all claims, demands, actions, liabilities, judgment costs, and attorney's fees, arising out of, claimed on account of, or in any manner predicated upon personal injury, death, or property damage caused by or resulting from possession and/or use of the donated property;

(8) If the applicant is not a State, Commonwealth, or possession of the United States, or a political subdivision or municipal corporation thereof, or the District of Columbia, the applicant must provide a copy of a determination letter by the Internal Revenue Service that the applicant is exempt from tax under the Internal Revenue Code, Section 501(c)(3), or submit evidence that the applicant has filed the appropriate documentation in order to obtain tax exempt status;

(9) If the applicant asserts that it is a corporation or an association whose charter or articles of agreement deny it the right to operate for profit, the

applicant must provide a properly notarized copy of its charter, a certificate of incorporation, and a copy of the organization's by-laws;

(10) Provide a notarized copy of the resolution or other action of the applicant's governing board authorizing the person signing the Letter of Intent to represent the organization and to sign on its behalf for the purpose of obtaining the vessel;

(11) Provide a signed copy of the Assurance of Compliance Form in compliance with Title VI of the Civil Rights Act of 1964. See the Ship Donation Web page for the Civil Rights Compliance (Assurance of Compliance) Form located as Appendix D to Ship Donation Program Manual (NAVSEA Instruction 4520.1B), at this link: <http://teamships.crane.navy.mil/InactiveShips/Donation/applicationinfo.htm>;

b. *Executive Summary:* The applicant shall limit the Executive Summary submission to eleven (11) pages total. The Executive Summary must address the following:

(1) *Organizational Description:* Provide an overview of the applicant's organizational structure, functional components, and names of current key leadership and staff positions;

(2) *Market Analysis:* Summarize the local and regional market demand for additional museum/memorial attractions. Succinctly define the target market. Discuss the available demographic information, the existing competition in the local and regional area for visitor museum/memorial attractions, visitor attendance numbers for existing area museum/memorial attractions, and projected visitor attendance for the applicant's proposal;

(3) *Marketing and Sales Outreach:* Outline the overarching marketing strategy for integrating the proposed ship museum/memorial into the local and regional community, and how the applicant plans to penetrate that market. Provide an overview of customer and market analysis, marketing communications, and sales strategies;

(4) *Museum/Memorial Services Assessment:* Discuss the benefits the proposed ship museum/memorial will offer to visitors/customers and the community. Identify challenges anticipated in establishing a new ship museum/memorial. Cite available data/evidence regarding the willingness of a defined customer base to pay for the services being offered;

(5) *Funding:* Provide a Rough Order of Magnitude (ROM) cost estimate that the applicant anticipates will be required to cover all costs associated with the acquisition/start-up costs of the

proposed ship donation transfer, including mooring, towing, environmental surveys and cleanup, dredging, museum development, maintenance, refurbishment of the vessel to be used as a stationary public display, pier, insurance, legal services, etc. Separately provide a ROM cost estimate of the annual operational and support costs of the proposed ship museum/memorial. In addition, provide a ROM cost estimate of the applicant's cost of dismantling the vessel in the United States upon completion of its use as a museum/memorial or in the event of bankruptcy or inability to properly maintain the vessel to be used as a stationary public display;

(6) *Financial*: Provide a summary of projected sources of income to support both the acquisition/start-up costs and the annual operational and support costs for the vessel used as a stationary public display;

(7) *Environmental*: Discuss the challenges anticipated in meeting the environmental requirements regarding hazardous materials, maintenance of polychlorinated biphenyls (PCB) containing materials, endangered species, dredging disposal, and required environmental permits from all cognizant authorities;

(8) *Mooring*: Discuss the approach to be proposed for the mooring plan for the vessel used as a stationary public display, including location, design, and mooring system in accordance with U.S. Coast Guard (USCG) requirements;

(9) *Towing*: Discuss the approach to be proposed for relocating the vessel from its current location to the proposed permanent berth location in conformance with the Navy Tow Manual and USCG requirements;

(10) *Maintenance*: Discuss the challenges in restoring and preserving for an indefinite period the steel-hulled vessel proposed as a ship museum/memorial; and

(11) *Curatorial/Museum*: Discuss the approach to be proposed for display and interpretation of the vessel used as a stationary public display, including collection management procedures.

The Phase I documentation (Letter of Intent and Executive Summary) must be submitted to the Navy Inactive Ships Program in hard copy and electronically on a CD-ROM in either an MS Word document or word searchable PDF format. The Phase I documentation must be mailed to: The Columbia Group, 1201 M Street, SE., Suite 020, Washington, DC 20003; marked for the Ship Donation Project Manager (PMS 333). Applicants are discouraged from photocopying, cutting and pasting, and generally providing information which is easily

accessible via the Internet and/or is already in the public domain. Original content which is specific to the vessel being donated is of greatest importance to the evaluators.

If the DoN does not receive satisfactory Phase I documentation (Letter of Intent and Executive Summary) from any applicant, the DoN reserves the right to enter into discussions with all applicants in an effort to achieve at least one acceptable submission; or remove the vessel from donation consideration and proceed with disposal of the vessel.

Note that any future changes to guidelines, policy, and law will be reflected in the guidance published on the DoN Ship Donation web page located at: <http://teamships.crane.navy.mil/InactiveShips/Donation>. Guidance and requirements posted on the Ship Donation Web page shall take precedence over the contents of the **Federal Register** notice. Applicants are advised to read and follow the Web page guidance for the most current set of ship donation requirements.

**FOR FURTHER INFORMATION CONTACT:** For Further Information and Submission of Ship Donation Applications, contact: Ms. Elizabeth Freese of the Naval Sea Systems Command, Navy Inactive Ships Program (PMS 333), telephone number 202-781-4423. Mailed correspondence should be addressed to: The Columbia Group, 1201 M Street, SE., Suite 020, Washington, DC 20003; marked for Ship Donation Project Manager (PMS 333).

Dated: November 16, 2009.

**A.M. Vallandingham,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. E9-28045 Filed 11-20-09; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of the Record of Decision for the West Coast Basing of the MV-22 Aircraft

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice of Record of Decision.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, 42 United States Code (U.S.C.) Section 4332(2)(c), the regulations of the Council on Environmental Quality (CEQ) for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] parts 1500-1508), the

Department of the Navy NEPA regulations (32 CFR part 775), and the Marine Corps Environmental Compliance and Protection Manual, which is Marine Corps Order P5090.2A w/change 2 (MCO P5090.2A), the Department of the Navy (DON) announces its decision to introduce up to ten MV-22 squadrons (120 aircraft) on the West Coast and replace nine helicopter squadrons (114 aircraft) currently authorized for basing on the West Coast as part of a U.S. Marine Corps (USMC)-wide process of replacing its aging fleet of medium-lift helicopters with more advanced, operationally-capable aircraft.

More specifically, this action will include: (1) Basing up to eight MV-22 squadrons at Marine Corps Air Station (MCAS) Miramar, in San Diego, California, and up to two MV-22 squadrons at MCAS Camp Pendleton, north of San Diego. The total of 10 squadrons will consist of eight squadrons for employment by the Third Marine Aircraft Wing (3D MAW) to provide medium-lift capability to I Marine Expeditionary Force (I MEF) and two squadrons to provide a West Coast reserve component medium-lift capability; (2) constructing and/or renovating airfield facilities at MCAS Miramar and MCAS Camp Pendleton to accommodate and maintain the MV-22 squadrons; and (3) conducting MV-22 readiness and training operations and special exercise operations to attain and maintain proficiency in the operational employment of the MV-22.

Implementation of this action will be accomplished as set out in the Preferred Alternative and described in the Final Environmental Impact Statement (Final EIS) of October 2009.

**SUPPLEMENTARY INFORMATION:** The complete text of the Record of Decision is available for public viewing on the project Web site at <http://www.mv22eiswest.net/along> with copies of the Final EIS and supporting documents. For further information, contact Homebasing EIS Project Manager, 1220 Pacific Highway, San Diego, California 92132-5190. Telephone: 619-532-4742.

Dated: November 18, 2009.

**A.M. Vallandingham,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. E9-28042 Filed 11-20-09; 8:45 am]

**BILLING CODE 3810-FF-P**