

4 for all modules. NIST is proposing deletion of the requirement, but to allow for adequate, comparable security, is proposing the addition of an optional “Remote Control Capability.” The proposed Remote Control Capability section would specify requirements addressing the module’s ability to process logons, send service requests to, and receive service responses from a remote module without compromising security. If the Remote Control Capability is supported, this section would mandate the use of a Trusted Channel at Security Level 3 and 4. NIST would appreciate comments on the proposed approach.

**4.3.1 Trusted Role**—the comments raised a variety of different concerns, reflecting different interpretations of the purpose of the Trusted Role. To address these concerns NIST is proposing the deletion of the Trusted Role and replacement with a Self-initiated Cryptographic Capability, configured and activated by the Crypto Officer that would be preserved over rebooting or power cycling of the module. The capability would provide the module with the ability to perform cryptographic operations including Approved and Allowed security functions without external operator request. NIST would appreciate comments on the proposed approach.

**4.7 Physical Security—Non-Invasive Attacks**—the comments received suggest substantial changes that would either weaken or strengthen the impact of these requirements. Comments received included stronger security requirements for Security Level 3 and 4, making the section mandatory for all cryptographic modules, including the Security Level for this section as part of the overall Security Level, while other comments suggested not addressing non-invasive attacks within the standard. NIST would appreciate general and specific comments on the requirements to address non-invasive attacks.

**4.8.4 Sensitive Security Parameter (SSP) Entry and Output**—the comments received raised a variety of different concerns, reflecting different interpretations of the requirements on SSPs that are entered into or output from a module. SSP entry and output requirements depend on whether the SSP is entered or output manually or electronically, and whether the SSP is distributed manually or electronically. New technologies have called into question this taxonomy of SSP entry and output methods. NIST would appreciate comments on the most appropriate way to categorize these methods, and the appropriate requirements for each method.

Annex B, Section: Operator Authentication Mechanisms—the comments received indicated that the specification for the strength of the operator’s authentication method was incomplete, particularly with respect to biometrics. For biometric authentication, NIST proposes the use of a Liveness Detection method associated with the Session False Match Rate for one attempt and the Generalized False Accept Rate for multiple attempts in one minute. NIST would appreciate comments on the proposed approach.

Comments on sections not specifically listed in this notice will not be considered.

Prior to the submission of the FIPS 140-3 to the Secretary of Commerce for review and approval, it is essential that consideration is given to the needs and views of the public, users, the information technology industry, and Federal, State and local government organizations. The purpose of this notice is to solicit such views on specific sections of the “2009 Draft.”

**Authority:** Federal Information Processing Standards (FIPS) are issued by the National Institute of Standards and Technology after approval by the Secretary of Commerce pursuant to Section 5131 of the Information Technology Management Reform Act of 1996 and the Federal Information Security Management Act of 2002 (Pub. L. 107-347).

**E.O. 12866:** This notice has been determined not to be significant for the purpose of E.O. 12866.

Dated: August 24, 2012.

**Willie E. May,**

*Associate Director for Laboratory Programs.*

[FR Doc. 2012-21461 Filed 8-29-12; 8:45 am]

**BILLING CODE 3510-13-P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket No. 120817356-2356-01]

### Request for Comments on U.S. Technical Participation in the 14th Conference of the International Organization of Legal Metrology (OIML)

**AGENCY:** National Institute of Standards and Technology, Commerce.

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

**SUMMARY:** The National Institute of Standards and Technology (NIST) seeks comments concerning U.S. technical participation in the 14th Conference of

the International Organization of Legal Metrology (OIML). This conference is held once every four years and was last held in 2008.

Interested parties are requested to review and submit comments on the 24 OIML Recommendations and Documents on legal measuring instruments that will be presented for ratification by the Conference. Comments may also be submitted on other issues relevant to the Conference.

**DATES:** Written comments should be submitted to the NIST International Legal Metrology Program no later than Friday, September 21, 2012, at 5 p.m. Eastern Time. The 14th OIML International Conference of Legal Metrology will be held in Bucharest, Romania, Wednesday, October 3 through Thursday, October 4, 2012.

**ADDRESSES:** Written comments should be sent to the International Legal Metrology Program, Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 2600, Gaithersburg, MD 20899-2600. Comments may also be submitted via email to [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph Richter, International Legal Metrology Program, Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 2600, Gaithersburg, MD 20899-2600; telephone: 301/975-3997; fax: 301/975-8091; email: [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov).

### SUPPLEMENTARY INFORMATION:

#### Background

The International Organization of Legal Metrology (OIML) is an intergovernmental treaty organization in which the United States and 56 other nations are members. Its principal purpose is to harmonize national laws and regulations pertaining to testing and verifying the performance of legal measuring instruments used for equity in commerce, for public and worker health and safety, and for monitoring and protecting the environment. The harmonized results promote the international trade of measuring instruments and products affected by measurement.

The U.S. Department of State has delegated technical participation in OIML to the National Institute of Standards and Technology. NIST coordinates participation of U.S. manufacturers, users of weighing and measuring instruments, legal metrology officials and other U.S. stakeholders in the technical work of OIML by circulating draft voluntary standards

(called Recommendations) and other OIML publications for comment. NIST also leads U.S. delegations to OIML Technical Meetings.

#### Additional Information

All parties with an interest in the work of the OIML are requested to review and submit comments on any or all of the 24 Recommendations and Documents that will be presented for ratification by the Conference. All submitted comments will be reviewed and considered by NIST staff in the development of U.S. positions that will be put forward at the 14th Conference of OIML. Within two weeks of the comment submission deadline established in the **DATES** section above, all parties that submit comments will be provided with feedback from NIST staff concerning the disposition of their comments.

Each of the 24 Recommendations and Documents that will be presented for ratification by the Conference has already gone through a multi-year development and review-process involving technical experts and legal metrology experts from the United States and around the world. Ratification by the Conference is the final step in this process. The Recommendations and Documents have been divided into two categories—Category 1: those already approved by the International Committee of Legal Metrology (CIML) between 2009 and 2011, and Category 2: those that are expected to be submitted directly to the Conference for ratification. Because the Recommendations and Documents in Category 2 have not yet received CIML approval, comments received on these Recommendations and Documents are of additional importance to NIST staff. The 24 Recommendations and Documents and the OIML-member nations holding the secretariat responsible for their development are listed below:

#### Category 1

- R14, “Polarimetric saccharimeters graduated in accordance with the ICUMSA International Sugar Scale” (Russian Federation);
- R35, “Material Measures of Length for General Use” (United Kingdom);
- R48, “Tungsten ribbon lamps for the calibration of radiation thermometers” (Russian Federation);
- R75, “Heat meters” (Germany);
- R80, “Road and rail tankers with level gauging” (Germany);
- R84, “Platinum, copper, and nickel resistance thermometers (for industrial and commercial use)” (Russian Federation);

- R92, “Wood moisture meters—Verification methods and equipment: general provisions” (P.R. China and United States);
- R120, “Standard capacity measures for testing measuring systems for liquids other than water” (Switzerland);
- R124, “Refractometers for the measurement of the sugar content of grape musts” (Russian Federation);
- R127, “Radiochromic film dosimetry system for ionizing radiation processing of materials and Products” (United States);
- R131, “Polymethylmethacrylate (PMMA) dosimetry systems for ionizing radiation processing of materials and products” (United States);
- R132, “Alanine EPR dosimetry systems for ionizing radiation processing of materials and products” (United States);
- R133, “Liquid-in-glass thermometers” (United States);
- R134, “Automatic instruments for weighing road vehicles in motion and measuring axle loads” (United Kingdom);
- R137, “Gas Meters” (Netherlands);
- Amendment to R138, “Vessels for commercial transactions” (Japan);
- R143, “Instruments for the continuous measurement of SO<sub>2</sub> in stationary source emissions” (Netherlands);
- B3, “OIML Basic Certificate System for OIML Type Evaluation of Measuring Instruments” (United States);
- B10, “Framework for a Mutual Acceptance Arrangement on OIML Type Evaluations” (United States); and
- D16, “Principles of assurance of metrological control” (Czech Republic).

#### Category 2

- R46, “Active electrical energy meters” (Australia);
- R106, “Automatic rail-weighbridges” (United Kingdom);
- R126, “Evidential Breath Analyzers” (France); and
- D1, “Considerations for a law on metrology” (United States).

Parties with an expressed interest in particular topics may obtain copies of the OIML Conference technical agenda, including copies of the Recommendations to be ratified, from the OIML International Conference Web site at <http://bucharest.oiml.org>, at the OIML Web site at [www.oiml.org](http://www.oiml.org), or from the NIST International Legal Metrology Program.

Dated: August 24, 2012.

**Willie E. May,**

*Associate Director for Laboratory Programs.*

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**BILLING CODE 3510-13-P**

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

**RIN 0648-XC137**

#### Marine Mammals; File No. 17324

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that the Georgia Aquarium Inc., 225 Baker Street, Atlanta, GA 30313, has applied in due form for a permit to import eighteen (18) beluga whales (*Delphinapterus leucas*) for public display purposes.

**DATES:** Written, telefaxed, or electronic comments must be received on or before October 29, 2012.

**ADDRESSES:** The application and related documents are available for review online at [http://www.nmfs.noaa.gov/pr/permits/georgia\\_aquarium\\_belugas.htm](http://www.nmfs.noaa.gov/pr/permits/georgia_aquarium_belugas.htm) or upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427-8401; fax (301)713-0376; and

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

You may submit comments on this document, identified by NOAA-NMFS-2012-0158, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal [www.regulations.gov](http://www.regulations.gov). To submit comments via the e-Rulemaking Portal, enter NOAA-NMFS-2012-0158 in the keyword search. Locate the document you wish to comment on from the resulting list and click on the “Comment Now” icon on the right of that line.

- **Mail:** Submit written comments to Chief, Permits and Conservation Division, at the address listed above.

- **Fax:** (301)713-0376; Attn: Jennifer Skidmore.

**Instructions:** Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be