

officials. Each intelligence project shall assure the implementation and regular review of appropriate security requirements and policies, including the following:

\* \* \*

(h) \* \* \* Criminal intelligence information retained in an intelligence system must be reviewed and validated for continuing compliance with system submission criteria before the expiration of the information's retention period, which in no event shall be longer than ten (10) years. The retention period relating to a subject shall be tolled while the subject is incarcerated.

(i)(1) A project shall have in place security policies and procedures to ensure that remote access to intelligence information be available only to authorized system users; and

(2) A project shall undertake no major modifications to system design without prior grantor agency approval.

\* \* \* \* \*

6. Section 23.30 is amended as follows:

a. In paragraph (a), remove "investigatory or" and add "investigatory," in its place and after "prosecutorial" add ", or counterterrorism".

b. In paragraph (b) introductory text, remove "activity" and add "activities" in its place and remove "areas of".

c. In paragraph (b)(1), remove "of citizens".

d. Revise paragraphs (c) and (d) and add a new paragraph (f), to read as follows:

#### **§ 23.30 Funding guidelines.**

\* \* \* \* \*

(c) Control and supervision of information collection and dissemination by an intelligence system shall be retained by the head of a government agency or an individual with general policy making authority who has been expressly delegated such control by the agency head. This official shall certify in writing that he takes full responsibility for the system's compliance with this part.

(d) (1) Official responsibility and accountability for actions taken by an inter-jurisdictional criminal intelligence system shall be assumed by the head of the governmental agency exercising control and supervision over the operation of the system or by an individual with general policy making authority who has been expressly delegated such control or supervision by the agency head. This official shall certify in writing that he takes full responsibility for the inter-jurisdictional system's compliance with this part.

(2) The principles set forth in § 23.20 shall be made part of the by-laws or operating procedures for the inter-jurisdictional system. Each participating agency, as a condition of access, must affirmatively accept those principles that govern the collection, maintenance, and dissemination of information included as part of the interjurisdictional system.

\* \* \* \* \*

(f) The project has in place, or will establish within timeframes specified in grant-making or other guidance by BJA, a written privacy policy specifying the operational steps being followed to comply with § 23.20 principles.

Dated: July 16, 2008.

**Jeffrey L. Sedgwick,**

*Acting Assistant Attorney General, Office of Justice Programs.*

[FR Doc. E8-17519 Filed 7-30-08; 8:45 am]

**BILLING CODE 4410-18-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

**[DA 08-1712; MB Docket No. 08-129; RM-11461]**

#### **Television Broadcasting Services; Spokane, WA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a channel substitution proposed by KHQ, Incorporated ("KHQ"), the licensee of station KHQ-DT, DTV channel 7, Spokane, Washington, and a related channel substitution proposed by Spokane School District #81 ("Spokane School District"), licensee of noncommercial educational KSPS-DT, DTV channel \*8, Spokane, Washington. KHQ requests the substitution of DTV channel 15 for channel 7 at Spokane, and Spokane School District requests substitution of DTV channel \*7 for channel \*8 at Spokane.

**DATES:** Comments must be filed on or before September 2, 2008, and reply comments on or before September 15, 2008.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve each petitioner's counsel as follows: David H. Pawlik, Esq., Skadden, Arps, Slate,

Meagher & Flom LLP, 1440 New York Avenue, NW., Washington, DC 20005; Melodie A. Virtue, Esq., Garvey Schubert Barer, 1000 Potomac Street, NW., Fifth Floor, Washington, DC 20007-3501.

#### **FOR FURTHER INFORMATION CONTACT:**

David Brown, *david.brown@fcc.gov*, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 08-129, adopted July 22, 2008, and released July 23, 2008. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to *fcc504@fcc.gov* or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, *see* 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

**§ 73.622(i) [Amended]**

2. Section 73.622(i), the DTV Table of Allotments under Washington, is amended by adding channel 15 and removing channel 7 at Spokane and by adding channel \*7 and removing channel \*8 at Spokane.

Federal Communications Commission.

**Clay C. Pendarvis,**

Associate Chief, Video Division, Media Bureau.

[FR Doc. E8-17571 Filed 7-30-08; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17**

[FWS-R1-ES-2008-0079; 92210-1117-0000-FY08-B4]

**RIN 1018-AW18**

**Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for the Marbled Murrelet**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), propose to revise designated critical habitat for marbled murrelet (*Brachyramphus marmoratus marmoratus*) under the Endangered Species Act of 1973, as amended (Act). On May 24, 1996, we designated 3,887,800 ac (ac) (1,573,340 hectares (ha)) as critical habitat for the marbled murrelet in Washington, Oregon, and California. We are proposing to revise currently designated critical habitat for the marbled murrelet by removing approximately 254,070 ac (102,820 ha) in northern California and Oregon from the 1996 designation, based on new information indicating that these areas do not meet the definition of critical habitat. This action, if adopted in its entirety, would result in a revised designation of approximately 3,633,800 ac (1,470,550

ha) as critical habitat for the marbled murrelet. In this rule, we are further proposing, under the Act, a taxonomic revision of the scientific name of the marbled murrelet from *Brachyramphus marmoratus marmoratus* to *Brachyramphus marmoratus*.

**DATES:** We will accept comments received or postmarked on or before September 29, 2008. We must receive requests for public hearings in writing at the address shown in the **ADDRESSES** section by September 15, 2008.

**ADDRESSES:** You may submit comments by one of the following methods:

• Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

• U.S. mail or hand-delivery: Public Comments Processing, Attn: RIN 1018-AW18; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept e-mail or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

**FOR FURTHER INFORMATION CONTACT:** Ken Berg, Field Supervisor, U.S. Fish and Wildlife Service, Western Washington Fish and Wildlife Office, 510 Desmond Drive SE, Suite 102, Lacey, WA 98503-1273, telephone 360-753-9440, facsimile 360-753-9008; Paul Henson, Field Supervisor, U.S. Fish and Wildlife Service, Oregon Fish and Wildlife Office, 2600 SE 98th Avenue, Suite 100, Portland, OR 97266, telephone 503-231-6179, facsimile 503-231-6195; or Michael Long, Field Supervisor, U.S. Fish and Wildlife Service, Arcata Fish and Wildlife Office, 1655 Heindon Road, Arcata, CA 95521, telephone 707-822-7201, facsimile 707-822-8411. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339.

**SUPPLEMENTARY INFORMATION:****Public Comments**

We intend that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, we request comments or suggestions on this proposed rule. We particularly seek comments concerning:

(1) The reasons why we should or should not revise currently designated critical habitat for the marbled murrelet by removing 254,070 ac (102,820 ha) from the 1996 designation, based on new information that is the best available information indicating that

these areas do not meet the definition of critical habitat;

(2) Specific information on the amount and distribution of marbled murrelet habitat;

(3) Any foreseeable economic, national security, or other potential impacts resulting from the proposed critical habitat revision, and in particular, any impacts on small entities;

(4) Our proposal to revise 50 CFR 17.11 to adopt the taxonomic clarification for the marbled murrelet to reflect the change from *Brachyramphus marmoratus marmoratus* to *Brachyramphus marmoratus*; and

(5) Whether we could improve or modify our approach to revising critical habitat in any way to provide for greater public participation and understanding, or to better accommodate public concerns and comments.

You may submit your comments and materials concerning this proposed rule by one of the methods listed in the **ADDRESSES** section. We will not accept comments sent by e-mail or fax or to an address not listed in the **ADDRESSES** section. Finally, we will not consider hand-delivered comments that we do not receive, or mailed comments that are not postmarked, by the date specified in the **DATES** section.

We will post your entire comment—including your personal identifying information—on <http://www.regulations.gov>. If you provide personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on <http://www.regulations.gov>, or by appointment during normal business hours at the U.S. Fish and Wildlife Service, Western Washington Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**). Maps of the proposed revised critical habitat are also available on the Internet at <http://www.fws.gov/westwafwo/>.

**Background**

The final rule designating critical habitat for the marbled murrelet was published in the **Federal Register** on May 24, 1996 (61 FR 26256), and has been posted under the “Supporting Documents” section for this docket in the **Federal eRulemaking Portal**: <http://www.regulations.gov> at Docket Number FWS-R1-ES-2008-0079. It is our intent to discuss only those topics directly