

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 12/15/2009

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Suzanne Hilding
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 06/22/2009

ACTION REQUESTED: Revision of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200906-0648-009
AGENCY ICR TRACKING NUMBER:
TITLE: Application for Commission in the NOAA Officer Corps
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0047

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 12/31/2012

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	600	184	5,000
New	1,800	2,475	21,750
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	1,200	2,291	16,750
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official:

Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Application for Commission in the NOAA Officer Corps and Interview	NOAA Form 56-42	Application for NOAA Corps	
References for NOAA Corps Applicants	NOAA Form 56-42A	Reference letter and form	

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
APPLICATION FOR APPOINTMENT IN THE NOAA COMMISSIONED
OFFICER CORPS
OMB CONTROL NO. 0648-0047**

A. JUSTIFICATION

This request is for renewal of the information collection.

1. Explain the circumstances that make the collection of information necessary.

The National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps (NOAA Corps) is the uniformed service of NOAA, a bureau of the Department of Commerce. The NOAA Corps provides a cadre of professionals trained in engineering, earth sciences, oceanography, meteorology, fisheries science, and other related disciplines who serve their country by supporting NOAA's mission of surveying the Earth's oceans, coasts, and atmosphere to ensure the economic and physical well-being of the Nation.

The statutory authority for this information collection is [33 USC Chapter 43](#), National Oceanic and Atmospheric Administration Commissioned Officer Corps. NOAA Corps officers serve under Senate-confirmed appointments and Presidential commissions. The current authorized end strength of the NOAA Corps is 321 commissioned officers on the active duty list. Officers may resign their commissions, or may request voluntary retirement when eligible. Each resignation or retirement creates a vacancy on the list of active duty officers. Additionally, legislation is in place (via the Hydrographic Services Improvement Act) to begin increasing the authorized strength of the NOAA Corps to 379 starting in Fiscal Year 2010. A regular recruiting effort is required to simply maintain the strength of the NOAA Corps. To increase the number of qualified commissioned officers in upcoming years, an even greater recruiting effort will be necessary.

The collection of appropriate personal, educational, and professional qualifications information is critical in order to identify those applicants with the educational background, intelligence, high moral standards, and strong leadership potential required to serve the Nation as a member of this uniformed service.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Application information may be submitted on a year round basis, but the primary periods of collection are immediately preceding summer and winter college graduations. This information is used by the NOAA Commissioned Personnel Center to assess whether an applicant meets or exceeds the statutory minimum appointment qualifications and other legal obligations of citizenship. Completed applications are examined by the NOAA Officer Personnel Board in order to rate and/or assess the level of qualification, suitability, and availability of candidates for appointment.

The expiring application consisted of three forms (56-42, 56-42A, and 56-42D), but the proposed revisions reduce this collection to two forms (56-42, a combination of the former 56-42 and 56-42A (instructions) and 56-42A, formerly 56-42D). This proposal is the result of efforts to reduce paperwork, clarify the collection process and improve the quality of applicant responses.

As explained in the preceding paragraphs, the information gathered has utility. The NOAA Corps Commissioned Personnel Center will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should the Director, NOAA Corps decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The primary means of information gathering is through fillable electronic forms that are downloaded from the NOAA Corps website. Paper forms are available upon request. Currently, forms must be printed, signed, and submitted in hard copy due to a lack of infrastructure to support secure digital submissions.

4. Describe efforts to identify duplication.

This is a unique application and there is no duplication with other efforts.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

N/A.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

The information collected is used for identifying both minimum eligibility and level of qualification of applicants for the NOAA Corps. Reducing or eliminating this collection would severely hinder the ability of the NOAA Corps to recruit officer candidates with the educational background, intelligence, high moral standards, and strong leadership potential required to serve the Nation as a member of this uniformed service.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

None.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on February 4, 2009 (74 Fr 6016) solicited public comment on this collection. No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

None.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

This information collection is a Privacy Act Systems of Records, [COMMERCE/NOAA-1, Applicants for the NOAA Corps. The Privacy Act of 1974](#), 5 U.S.C. § 552a, is the statutory authority for confidentiality of this information collection, and assurance of confidentiality citing this authority is provided on the information collection forms.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

None.

12. Provide an estimate in hours of the burden of the collection of information.

Estimated total burden hours to the public has been increased by 1,245% due to: 1) a recent increased number of applicants and the expectation of further increases with the hiring of an additional recruiting officer, 2) the addition of two essay questions to NOAA Form 56-42, 3) underestimation of time required to complete the previous version of the form and 4) procedural changes that now require all applicants to complete an interview.

Estimated Total Annual Burden Hours: 2475

300 applications x 2 hours/applicant for paperwork = 600 hours
300 applications x 5 hours/applicant for interviewing = 1500
300 applications x 5 references x 15 minutes/reference = 375 hours.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

Estimated total annual cost to the public has increased by 340% due to an increased number of applicants, increased postage costs, and previously omitted costs for travel.

Estimated Total Annual Cost to Public: \$21,750

300 applicants x \$10/applicant postage or delivery charge = \$3,000
300 applicants x \$10/applicant college transcripts = \$3,000
300 applicants x \$50/applicant transportation to interview = \$15,000
1500 references x \$0.50/letter postage or delivery charge = \$750.

14. Provide estimates of annualized cost to the Federal government.

Excluding salaries for NOAA personnel, which have been accounted for elsewhere, additional costs pertaining specifically to this application process include travel for Officer Personnel Board members to attend board meetings.

Total annualized cost for recruiting/selection effort: \$6,000.00

Salaries for NOAA personnel (accounted for elsewhere) = \$0.00
Officer Personnel Board member travel (2 meetings/year) = \$6,000.00

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

Significant adjustments have been made to both estimated total burden hours and estimated total cost to the public.

Estimated total burden hours to the public have been increased by 1,245 percent. This increase reflects a trend of increasing numbers of applicants, increased recruiting efforts, the addition of two essay questions to NOAA Form 56-42, 3) underestimation of time required to complete the previous version of the form and 4) procedural changes that now require all applicants to complete an interview.

Estimated total annual cost to the public has been increased by 340 percent. This is also a reflection of the trend of increasing numbers of applicants and increased recruiting efforts. It also accounts for a general increase in postage costs, and costs for each applicant's travel to complete an interview with an appropriate NOAA Corps officer.

16. For collections whose results will be published, outline the plans for tabulation and publication.

N/A.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

N/A.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

N/A.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

stating that its annual report was due on May 23, 2008. Reminders were sent on the following dates:

August 22, 2008, October 3, 2008, and December 15, 2008. The Secretary has received no written response from C-Shore International to any of these letters. On December 15, 2008, and in accordance with Section 325.10(c)(1) of the Regulations (15 CFR 325.10(c)(1)), the Secretary of Commerce sent a letter by certified mail to notify C-Shore International, that the Secretary was formally initiating the process to revoke its Certificate for failure to file an annual report. The Secretary has received no response from C-Shore International. Pursuant to Section 325.10(c)(2) of the Regulations (15 CFR 325.10(c)(2)), the Secretary considers the failure of C-Shore International, to respond to be an admission of the statements contained in the notification letter. The Secretary has determined to revoke the Certificate issued to C-Shore International for its failure to file an annual report. The Secretary has sent a letter, dated January 21, 2009, to notify C-Shore International of this final determination.

The revocation is effective thirty (30) days from the date of publication of this notice (325.10(c)(4) of the Regulations, 15 CFR 325.10(c)). Any person aggrieved by this decision may appeal to an appropriate U.S. District Court within 30 days from the date of publication of this notice in the **Federal Register** “(15 CFR 325.11 of the Regulations).”

January 21, 2009.

Jeffrey Anspacher,

Director, Export Trading Company Affairs.

[FR Doc. E9-2294 Filed 2-3-09; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review.

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of First Request for Panel Review.

SUMMARY: On January 16, 2009, Evonik Degussa Corporation (formerly Degussa Corporation), filed a First Request for Panel Review with the Mexican Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel Review was

requested of the Final resolution of the Countervailing Duty Administrative Review, regarding the importation of Hydrogen Peroxide originating from the United States of America, classified in Tariff item 2847.00.01 of the Mexican Tariff Schedule. This determination was published in the Diario Oficial de la Federación, on December 18, 2008. The NAFTA Secretariat has assigned Case Number MEX-USA-2009-1904-01 to this request.

FOR FURTHER INFORMATION CONTACT:

Valerie Dees, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, NW., Washington, DC 20230. (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement (“Agreement”) established a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada, and the Government of Mexico established Rules of Procedure for Article 1904 Binational Panel Reviews (“Rules”). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first Request for Panel Review was filed with the Mexican Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on January 16, 2009, requesting a panel review of the determination and order described above.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is February 16, 2009);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline

for filing a Notice of Appearance is March 2, 2009); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in panel review and the procedural and substantive defenses raised in the panel review.

Dated: January 29, 2009.

Valerie Dees,

United States Secretary, NAFTA Secretariat.

[FR Doc. E9-2278 Filed 2-3-09; 8:45 am]

BILLING CODE 3510-GT-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Application for the NOAA Commissioned Corps

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before April 6, 2009.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to LCDR Holly Jablonski, (301) 713-7731 or Holly.Jablonski@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The NOAA Commissioned Corps is the uniformed component of the National Oceanic and Atmospheric Administration (NOAA), a bureau of the Department of Commerce. Officers serve under Senate-confirmed appointments and Presidential commissions (33 U.S.C., Chapter 17, Subchapter 1, Sections 853 and 854). The NOAA Corps provides a cadre of professionals trained in engineering, earth sciences, oceanography, meteorology, fisheries

science, and other related disciplines who are dedicated to the service of their country and optimization of NOAA's missions to ensure the economic and physical well-being of the Nation. NOAA Corps officers serve in assignments throughout NOAA, as well as in each of NOAA's Line Offices (National Environmental Satellite, Data, and Information Service, National Marine Fisheries Service, National Ocean Service, National Weather Service, Office of Oceanic and Atmospheric Research, and Office of Program, Planning, and Integration). Persons wishing to be considered for a NOAA Corps Commission must submit a complete application package, including NOAA Form 56-42, three letters of recommendation, and official transcripts. A personal interview must also be conducted. Eligibility requirements include a bachelor's degree in science, engineering, or another discipline related to NOAA's missions, excellent health, normal color vision with uncorrected visual acuity no worse than 20/400 in each eye (correctable to 20/20), and ability to complete 20 years of active duty service prior to their 62nd birthday.

II. Method of Collection

Respondents must submit paper forms via mail in postage-paid envelopes.

III. Data

OMB Control Number: 0648-0047.

Form Number: NOAA Forms 56-42, 56-42A, and 56-42D.

Type of Review: Regular submission.

Affected Public: Individuals or households.

Estimated Number of Respondents: 130.

Estimated Time Per Response: 3 hours.

Estimated Total Annual Burden Hours: 390.

Estimated Total Annual Cost to Public: \$1,024.

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 30, 2009.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E9-2299 Filed 2-3-09; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XM96

NOAA to Transfer Ownership of John N. Cobb to Seattle Maritime Academy

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

SUMMARY: The National Oceanic and Atmospheric Administration's Office of Marine and Aviation Operations propose to donate NOAA Ship *John N. Cobb* to Seattle Central Community College: Seattle Maritime Academy under the Stevenson-Wydler Technology Innovation Act of 1980.

DATES: Comments must be received by March 6, 2009. Also, there will be a public meeting held to obtain public comments at the Marine Operations Center-Pacific at 1800, February 17, 2009.

ADDRESSES: The meeting will be held at 1801 Fairview Avenue East, Seattle, WA 98102. You may submit comments to chad.cary@noaa.gov.

FOR FURTHER INFORMATION CONTACT: LT Chad Cary by email chad.cary@noaa.gov or phone (206) 553-7916.

SUPPLEMENTARY INFORMATION:

Background

John N. Cobb, decommissioned August 13, 2008, had been an active research vessel for 58 years. The National Historic Preservation Act of 1966 requires that federal properties meeting historical criteria are to be recognized as historical assets. As a result of *John N. Cobb's* length of service, significant contributions to the community and historic architectural design, the vessel has been determined eligible and is scheduled to make the National Register of Historic Places spring of 2009. Upon being determined eligible, the vessel became subject to

rules and regulations described in 36 CFR Part 800: Protection of Historic Properties—The Section 106 Process.

Seattle Central Community College: Seattle Maritime Academy is an eligible recipient of *John N. Cobb* under the Stevenson-Wydler Technology and Innovation Act of 1980 and consequently submitted a request for the vessel to the Commanding Officer, Marine Operations Center-Pacific. This request includes a strategy for continued use and preservations of the vessel. The Office of Marine and Aviation Operations is confident the Academy possesses the necessary resources to continue the preservation effort. Seattle Maritime Academy is a reputable organization and will likely serve *John N. Cobb* well in future sea going years. Prior to transferring the vessel to Seattle Maritime Academy, NOAA, the Washington State Historic Preservation Office and the Advisory Council on Historic Preservation will establish a memorandum of agreement including preservation covenants.

Dated: January 28, 2009.

Jonathan W. Bailey,

NOAA Director, Office of Marine and Aviation Operations.

[FR Doc. E9-2374 Filed 2-3-09; 8:45 am]

BILLING CODE 3510-12-S

DEPARTMENT OF ENERGY

Biological and Environmental Research Advisory Committee

AGENCY: Department of Energy; Office of Science.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Biological and Environmental Research Advisory Committee. Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Wednesday, February 18, 2009, 8:30 a.m. to 5:30 p.m. and Thursday, February 19, 2009, 8:30 a.m. to 12:30 p.m., E.S.T.

ADDRESSES: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, North Bethesda, MD 20852.

FOR FURTHER INFORMATION CONTACT: Dr. David Thomassen (301-903-9817; david.thomassen@science.doe.gov) Designated Federal Officer, Biological and Environmental Research Advisory Committee, U.S. Department of Energy, Office of Science, Office of Biological and Environmental Research, SC-23/