

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 09/15/2011

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

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 06/23/2011

ACTION REQUESTED: Reinstatement with change of a previously approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201106-0648-001
AGENCY ICR TRACKING NUMBER:
TITLE: Dr. Nancy Foster Scholarship Program
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0432

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: 09/30/2014

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	621	1,920	4,000
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	621	1,920	4,000
Change due to Agency Adjustment	0	0	0
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
Dr. Nancy Foster Scholarship Program Application Form and transcripts	NA	Dr. Nancy Foster Scholarship Program Application	
Letters of recommendation			15 CFR 922.31
Biographical sketch and photograph - awardees			15 CFR 922.31
Program participants' annual progress reports	NA	Dr. Nancy Foster Scholarship Program Annual Progress Report	
Program participants' pre- or post-evaluations	NA	Nancy Foster Program Evaluation 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
DR. NANCY FOSTER SCHOLARSHIP PROGRAM
OMB CONTROL NO. 0648-0432**

A. JUSTIFICATION

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

This request is for reinstatement of an information collection discontinued on October 22, 2007, with changes to the application and annual report forms and the addition of a pre- and post-evaluation form.

An amendment adding Section 18 of the [National Marine Sanctuaries Act](#) authorized the Dr. Nancy Foster Scholarship Program in 2000. The program supports these Office of National Marine Sanctuaries performance measures:

- Knowledge/Awareness Ocean Literacy
- Knowledge/Awareness ONMS
- Aspirations of Conservation/Stewardship
- Behaviors/activities

The program recognizes outstanding scholarship by providing financial support to graduate students pursuing masters' and doctoral degrees in the areas of marine biology, oceanography and maritime archaeology.

In order to select qualified students, it is necessary to collect an Application Package from each candidate that consists of: 1) a General Information Sheet, 2) Statement of Intent, 3) Institute Certification, 4) Research Proposal, 5) Statement of Financial Need, 6) a Declaration Statement, 7) academic transcripts and 8) two Letters of Recommendation from individuals who have knowledge of the student's academic record, research effort, work (paid or unpaid work, such as internships and volunteer efforts) and/or life experience. One of these letters must be from the academic advisor.

The information will be used to select those individuals who will receive Dr. Nancy Foster Scholarships. In order to properly process and monitor awardees, scholarship recipients will be required to submit an Annual Report and provide a biography and photograph of themselves for the website. Scholarship recipients will also be requested to complete an evaluation before and after the scholarship program to gather information about the level of knowledge, skills and behavioral changes that take place with the students over the course of the scholarship.

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.

The Application Package information is collected annually during the application period. The National Oceanic and Atmospheric Administration (NOAA) Office of Education scholarship

program administrator will conduct this information collection each year, and scholarship review panelists and NOAA leadership will use the information to select scholarship recipients. The student data and information is collected, evaluated and assessed, archived, and reported. Aggregated data is used in NOAA internal reports and reports in response to Congressional queries.

A biographical sketch and a photograph will be required once of each new awardee prior to their receiving their first allotment of scholarship funds. The bios and photographs will be posted on the scholarship website so interested individuals can see and learn more about those who were selected as awardees. A Progress Report will be required annually of all continuing awardees (in March/April); this Progress Report will outline awardees' accomplishments and academic progress and enable administrators to track awardees' efforts.

The Office of National Marine Sanctuaries is institutionalizing a program-wide evaluation plan to ensure that all education programs are being assessed for effectiveness against stated program goals and objectives. Therefore all education programs must be currently evaluated or have an evaluation plan in place. Each program's evaluation plan must include standardized questions from our tool box of questions, in addition to utilizing additional questions that are optional. The awardees will be asked to complete a survey to evaluate the Nancy Foster Scholarship program. The questions will be used to gather information about the level of knowledge, skills and behavioral changes that take place with the students before and after the scholarship program. These questions focus on ocean literacy concepts and awareness of national marine sanctuaries. A five point scale is used with these questions and is based on current reviewed literature on assessing impact and a recognized method of capturing this data. An evaluation form, not part of the original information collection, is included in this submission.

In addition to the new evaluation form, changes have been made to the application form and process, and the annual report forms

Application

1. The Application submission will no longer be through the NOAA Grants-On-Line system.
2. Standard Form 424, Application for Federal Assistance is no longer required. [Application for Federal Student Aid](#) (FAFSA) is used instead.
3. Section added under GENERAL: How did you learn about the Dr. Nancy Foster Scholarship Program? The data collected in this section will allow the Office of Education to assess our recruitment efforts.
4. Section added, EXTRACURRICULAR ACTIVITIES: Include technical societies and service organizations (include offices held). The data collected in this section will allow the application reviewers to assess the students leadership skills and networking level. The reviewers can gain a sense of how well-rounded a student is.
5. Completed applications and supporting documents may be mailed or e-mailed to fosterscholars@noaa.gov by the deadline (11:59 p.m. EST), previously 5 pm.

Annual Report

1. The Annual Report submission will no longer be through the NOAA Grants-On-Line system.
2. Section added to collect current contact information.
3. Section added to identify publications authored by the recipient.
4. Students will not submit receipts as part of the annual report.

As explained in the preceding paragraphs, the information gathered has utility. NOAA 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. Prior to dissemination, the information will be subjected to quality control measures and a 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 collection of information will primarily entail Web-based forms submitted through the [Dr. Nancy Foster Scholarship site](#) and transferred to a database. In the event that the Web-based method is not functional, the applicants and recipients may complete electronic fillable forms that may be e-mailed. Only transcripts and other documents in support of applications will be submitted by mail.

4. Describe efforts to identify duplication.

These specific information collections are related specifically to the Dr. Nancy Foster Scholarship Program, and are the only ones so designated.

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

Not applicable. This collection does not involve small businesses or other small entities.

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

Consequences could include scholarship funds not being awarded and students not receiving financial support; scholarships being awarded less frequently than possible, or on a timeframe that is not in sync with the academic year; the scholarship administrator not being able to effectively track recipient progress; awardees not receiving their funding on time; and the scholarship administrator not being able to market the program effectively. In addition, recruitment and retention will be affected by not collecting the student data and information.

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

Not applicable.

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 November 8, 2010 (75 FR 68603) solicited public comments. There were no comments received.

9. Explain any decision to provide payments or gifts to respondents and the basis for assurance in statute, regulation, or agency policy.

Not applicable.

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

There is no statutory authority for confidentiality. However, only promotional information (student names, research projects, and photographs) is made public on the program website, in newsletter articles, and in press releases. All other information is available primarily to program staff. Protection of other information is assured on the program evaluation and progress report forms.

As needed, student information may be disclosed to the National Oceanic and Atmospheric Administration Office of Civil Rights and the Workforce Management Office to assist the Office of Education in completing and maintaining the student tracker records. The justification for sharing information on a “need to know” basis within the agency is provided explicitly within the statutory language of the [Privacy Act](#).

The physical electronic files are protected from access outside of NOAA and outside of Office of Education by a system of firewalls and routers. Whenever feasible, applications are hosted within the internally protected network to limit access by NOAA personnel only. Restricted access is employed so that only authorized users within the NOAA Office of Education scholarship team have access to the scholarship files.

The student scholarship programs’ paper application is destroyed after the evaluation and selection of NOAA student scholars. The student name, street address, telephone number and email address are maintained electronically in a secured location on the NOAA server, as is the

student tracker database. Access to the electronic files on the OEd shared drive requires username/password combinations to retrieve the information.

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.

Not applicable.

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

All applicants are required to submit an Application Package. Based upon a 3-year average of applications, we expect to receive 600 responses annually, for 200 applicants, consisting of one application from each applicant and two letters of recommendation for each applicant.

It is estimated that between 4 and 7 awardees will be selected each year, each of whom will submit a biography and photograph (7 responses) and an Annual Progress Report (7 responses). Each new awardee would complete an evaluation, and at the end of the period, another one, but only one per year (7 responses).

200 application package respondents x 8 hours = 1600 hours

400 letters of recommendation x 45 minutes = 300 hours

7 bio/photograph submissions x 1 hour = 7 hours

7 annual reports x 1.5 hours = 10 hours, 30 minutes (11 hours)

7 evaluations (pre- or post – only one in any given year) x 15 minute = 1 hour, 45 minutes (2 hours).

Total responses = 621; total hours of burden = 1920.

13. Provide an estimate of the total annual recordkeeping/reporting cost burden to the respondents resulting from the collection (excluding the value of the burden hours in Question 12 above).

All information other than transcripts and other documents required in support of the applications may be e-mailed or posted on the program Web site. Ordering and postage costs for transcript and other supporting document submission are estimated at \$20 each, for a total of \$4,000.

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

\$93,510 - This figure represents salary dollars needed to oversee administration of the program (416 hours @ \$36 per hour = \$15,000), contract administration for scholarship fund disbursement (\$60,000), salary dollars for application review by panel members (300 hours @ \$50 per hour = \$15,000), cost of materials (\$3000), and salary dollars for maintenance of the scholarship Website (10 hours @ \$51 per hour = \$510).

15. Explain the reasons for any program changes or adjustments reported.

Not Applicable.

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

The names, academic institutions, degree and research plans, photographs, and biographical information of the scholarship awardees will be posted on NOAA's Dr. Nancy Foster website and may be published in marketing materials developed to advertise the program.

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

Not applicable.

18. Explain each exception to the certificate.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

**NOAA OFFICE OF EDUCATION
DR. NANCY FOSTER SCHOLARSHIP PROGRAM**

2012 STUDENT APPLICATION

STUDENT DATA (please type or use black ink)

Name _____
(First) (Middle) (Last)

Current Academic Status: [] Undergraduate Student
[] Graduate Student
[] Baccalaureate Recipient Not Currently Enrolled
[] M.S. Recipient Not Currently Enrolled
[] Other _____

COLLEGE/UNIVERSITY _____

Department _____ Major _____

City _____ State _____ Zip _____

DEGREE PROGRAM: I plan to pursue a [] Master's or [] Doctorate

Degree Completion expected (month and year) _____

CURRENT RESIDENCE _____

City _____ State _____ Zip _____

E-mail Address _____ Home Phone _____

Fax Number: _____ Cell Phone _____

Current address effective through: _____ After this date, all correspondence will be sent to the permanent address listed below unless otherwise requested.

PERMANENT ADDRESS _____

City _____ State _____ Zip _____ Phone _____

PAPERWORK REDUCTION ACT INFORMATION

NOAA Office of Education Scholarship Programs promote the education and training of students in NOAA sciences. The information contained in this application will be used to select graduate students. The information on this form will not be treated confidentially. Public reporting burden for this collection of information is estimated to average 8 hours per application including the time for reviewing the instructions and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to NOAA Office of Education, Dr. Nancy Foster Scholarship Program, 1315 East-West Highway, Room 10725, Silver Spring, MD 20910.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number

[Type text]

GENERAL

How did you learn about the Dr. Nancy Foster Scholarship Program?

- Academic Advisor
- Email communication
- Scholarship Alumni (please provide name): _____
- Website (please specify): _____
- Advertisement (please specify): _____
- National Conference (please specify): _____
- Other (please specify): _____

U.S. Citizen: Yes No

EDUCATION

List Technical Schools and/or Universities/Colleges. Begin with most current institution.

Undergraduate Institutions

INSTITUTION	DATES ATTENDED	MAJOR	DEGREE RECEIVED	MONTH/ YEAR	GPA

Graduate Institutions

INSTITUTION	DATES ATTENDED	MAJOR	DEGREE RECEIVED	MONTH/ YEAR	GPA

TRANSCRIPTS

Official transcripts are required for each applicant. Submit transcripts only for university/college(s) attended during the last two years of academic training received. Official transcripts must be received by March 15, 2012, at 5:00 P.M. Eastern Time. Official sealed transcripts must be mailed to:

Dr. Nancy Foster Scholarship Program
NOAA Office of Education
1315 East West Highway SSMC3, Room 10725
Silver Spring, MD 20910

Photocopied transcripts are not acceptable.

[Type text]

INSTITUTE CERTIFICATION

A letter from the applicant's institution certifying that the student is enrolled in or has accepted an offer to a graduate program must be submitted with the application. The letter should consist of the following information on school letterhead and be signed by a school official: Name and location of the academic institution, the school and department that you are currently attending or plan to attend, and the month and year your studies will begin if you are not currently enrolled. It is preferable that the institute certification described above be used. However, some institutions will only provide a standardized institute certification, in which cases that will be acceptable. If you have a graduate advisor, list his/her name, address, telephone and fax numbers, and an e-mail address, if available in the Institute Certification portion of your application. Current transcripts or letters of acceptance from the institution will not be accepted in lieu of the Institute Certification. Failure to include the Institute Certification specifically as indicated above will result in the application being disqualified. Applicants selected to receive the Dr. Nancy Foster Scholarship will be required to submit a certification of enrollment at the start of each academic term.

Applicants who are applying to graduate school should submit a list of schools applied to, and any acceptance letters received at the time of application, in lieu of the certification of enrollment. Individuals selected to receive the Dr. Nancy Foster Scholarship award must provide proof of acceptance into a graduate program at the time of notification or the individual will be ineligible to receive the award. **If applicable, provide a list of the Graduate Schools applied to here:**

RELEVANT WORK EXPERIENCE

List work experience related to your field of study. You may include research and teaching assistantships and any other paid or unpaid work. Begin with current or most recent employment (*use extra page(s), if necessary*)

EMPLOYER	FROM/TO	POSITION	NATURE OF WORK

ACADEMIC AWARDS AND HONORS

Include undergraduate and graduate honors (*if applicable*).

[Type text]

EXTRACURRICULAR ACTIVITIES

Include technical societies and service organizations (*include offices held*).

REFERENCES

Each application must include two signed letters of recommendation from individuals who have knowledge of your academic record, research effort, work and/or life experience. One of these letters must be from your academic advisor. Relevant paid work, such as internships and volunteer efforts, are applicable. List references here.

1.
2.

Letters of recommendation must be either mailed to:

Dr. Nancy Foster Scholarship Program
NOAA Office of Education
1315 East West Highway
SSMC3, Room 10725
Silver Spring, MD 20910

Or emailed to fosterscholars@noaa.gov by the individual writing the letter. All letters of recommendation must be received by 5:00 P.M. Eastern Time on March 15, 2012. Applications without two letters of recommendation will be disqualified. Additional letters of recommendations will not add extra credit towards the final evaluation score.

RESEARCH PROPOSAL (Maximum three (3) pages), *due March 15, 2012*

The Nancy Foster Scholarship program is designed to support students interested in NOAA mission related sciences of oceanography, marine biology or maritime archaeology (including all science, engineering, and resource management of ocean and coastal areas). Discuss the research area you plan to pursue in graduate school and its relationship to NOAA sciences in the aforementioned areas of emphasis and how your research activities support NOAA's mission, especially the mission of the Office of National Marine Sanctuaries. Information about NOAA is available at www.noaa.gov and in particular, the Office of National Marine Sanctuaries at <http://sanctuaries.noaa.gov/>. The research proposal should be typewritten, single-spaced and should not exceed 3 pages in length. Page limits are inclusive of figures, and other visual materials, but are exclusive of references. Statements longer than three pages will not be accepted and will result in the application being disqualified.

[Type text]

STATEMENT OF INTENT (maximum one (1) page), *due March 15, 2012*

The Statement of Intent is a self-description of your academic, research, and career goals, and how your proposed course of study or research will help you achieve these goals. This is your opportunity to present yourself, and your aspirations and career goals. Include any background information that is pertinent, and provide insight into why you choose these goals to pursue. This statement should not be a research proposal or scientific abstract. This statement will be used to evaluate you as an individual, not necessarily as a scientist, and your motivation for applying for this scholarship. This statement should demonstrate your organizational and written communication skills. The statement of intent should be typewritten, single-spaced, and should not exceed one page in length. Statements longer than one page will not be accepted and will result in the application being disqualified.

STATEMENT OF FINANCIAL NEED (maximum one (1) page), *due March 15, 2012*

To evaluate financial need, NOAA will use the Department of Education's Expected Family Contribution (EFC) determination. To receive an EFC determination, applicants must submit a Free Application for Federal Student Aid (FAFSA) to the Department of Education. See <http://www.fafsa.ed.gov>. In response to the FAFSA, the Department of Education will provide the applicant with a Student Aid Report (SAR), which will contain the EFC determination. A copy of the SAR and a 1 page, single spaced essay describing your financial need must be submitted with the application. In your essay describe your financial need, discuss how you plan to fund your graduate level education and what the impact will be if you do not receive this scholarship. Also, list the following in the order stated: estimated amount needed for tuition and fees, all resources currently available to you to cover your graduate studies (e.g., grants, student loans, scholarships, research or teaching assistant positions, personal funds), the length of time these resources will be available and if they include work requirements, other resources for which you have applied and have received, as well as those for which you have not received a response. Statements longer than one page will not be accepted and will result in the application being disqualified.

DECLARATION

Applicants must certify that all statements and information in their applications are true.

My signature acknowledges that I am aware that this program is supported by funding from the United States Government, and therefore is subject to Federal law regarding false statements and fraud, particularly the criminal provisions of 18 U.S. code Section 1001. I certify, under the penalty of law, that to the best of my knowledge and belief, all of the information on and attached to this application is true, correct, complete and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for dismissal from the Program and punishable by fine or imprisonment. I understand that any information I give may be investigated.

Signature _____ Date _____

PAPERWORK REDUCTION ACT INFORMATION

NOAA Office of Education Scholarship Programs promote the education and training of students in NOAA sciences. The information contained in this application will be used to select graduate students. The information on this form will not be treated confidentially. Public reporting burden for this collection of information is estimated to average 8 hours per application including the time for reviewing the instructions and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to NOAA Office of Education, Dr. Nancy Foster Scholarship Program, 1315 East-West Highway, Room 10725, silver Spring, MD 20910.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OM Control Number.



OMB Control #
Expires:

Nancy Foster Annual Progress Report: _____
(date)

(Recipient's Name)

1. **Current Contact Information (street address, e-mail, telephone number)**

2. **Scholar's Activities**

3. **Accomplishments**

4. **Academic Progress (also attach official transcript indicating scholar has full-time student status and academic term and cumulative GPA)**

5. **Research Progress (include name and contact information for Academic/Research Advisor)**

6. **Academic/Research Advisor's Certification that the work is on track (attach)**

7. **Publications**

8. **Describe Planned or Completed Research Collaboration/Internship (include location of NOAA facility, NOAA scientist and their contact information, and status). If the Research Collaboration is complete, attach a trip report to document accomplishments and include a summary testimonial of the experience.**

PAPERWORK REDUCTION ACT INFORMATION

NOAA Office of Education administers the Dr. Nancy Foster Scholarship Program in order to promote the education and training of students in NOAA sciences. The information contained in this evaluation will be used to evaluate the Scholarship Program. The information on this form will be treated confidentially. Public reporting burden for this collection of information is estimated to average 1.5 hours per recipient including the time for reviewing the instructions and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to NOAA Office of Education, Dr. Nancy Foster Scholarship Program, 1315 East-West Highway, Room 10725, Silver Spring, MD 20910.

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9. Estimated Tuition for Upcoming Year (per semester/quarter)

10. Academic Timeline

11. Planned Graduation Date

12. Certification of Enrollment for Upcoming Semester/Quarter (attach)

At the end of the Award,

13. Submit a Final Report encompassing accomplishments during the award period and post scholarship plans, especially regarding NOAA.

14. Submit a copy of the final official transcript which indicates degree earned, if applicable.

15. Submit a copy of Master's thesis or PhD dissertation research

Return to: Milton Muldrow
NOAA Educational Partnership Program
Nancy Foster Scholarship Program
1315 East-West Highway
SSM C3, Room 10725
Silver Spring, Maryland 20910

Phone: (301) 713-9437 x118
Fax: (301) 713-9465
E-mail: fosterscholars@noaa.gov

PAPERWORK REDUCTION ACT INFORMATION

NOAA Office of Education administers the Dr. Nancy Foster Scholarship Program in order to promote the education and training of students in NOAA sciences. The information contained in this evaluation will be used to evaluate the Scholarship Program. The information on this form will be treated confidentially. Public reporting burden for this collection of information is estimated to average 1.5 hours per recipient including the time for reviewing the instructions and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to NOAA Office of Education, Dr. Nancy Foster Scholarship Program, 1315 East-West Highway, Room 10725, Silver Spring, MD 20910.

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**Office of Education
Dr. Nancy Foster Scholarship Recipient
Education Program Evaluation**

Instructions: Read each sentence then circle a value from 1 to 5 that best describes your knowledge and aspirations.

	<i>Strongly agree</i>				<i>Strongly disagree</i>
1. The health of the ocean and the actions of humans are inter-connected.	1	2	3	4	5
2. The National Marine Sanctuary System helps to protect marine and Great Lake ecosystems.	1	2	3	4	5
3. I would like to be involved in activities that focus on marine and/or Great Lakes conservation, protection and restoration.	1	2	3	4	5
4. I will consider the health of the ocean and of marine wildlife in my decision-making.	1	2	3	4	5

PAPERWORK REDUCTION ACT INFORMATION

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Public Law 106–513
106th Congress

An Act

To amend the National Marine Sanctuaries Act, and for other purposes.

Nov. 13, 2000

[S. 1482]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Marine
Sanctuaries
Amendments Act
of 2000.
16 USC 1431
note.

SECTION. 1. SHORT TITLE.

This Act may be cited as the “National Marine Sanctuaries Amendments Act of 2000”.

SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICIES; ESTABLISHMENT OF SYSTEM.

(a) CLERICAL AMENDMENT.—The heading for section 301 (16 U.S.C. 1431) is amended to read as follows:

“SEC. 301. FINDINGS, PURPOSES, AND POLICIES; ESTABLISHMENT OF SYSTEM.”

(b) FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) in paragraph (2) by striking “research, educational, or esthetic” and inserting “scientific, educational, cultural, archeological, or esthetic”;

(2) in paragraph (3) by adding “and” after the semicolon; and

(3) by striking paragraphs (4), (5), and (6) and inserting the following:

“(4) a Federal program which establishes areas of the marine environment which have special conservation, recreational, ecological, historical, cultural, archeological, scientific, educational, or esthetic qualities as national marine sanctuaries managed as the National Marine Sanctuary System will—

“(A) improve the conservation, understanding, management, and wise and sustainable use of marine resources;

“(B) enhance public awareness, understanding, and appreciation of the marine environment; and

“(C) maintain for future generations the habitat, and ecological services, of the natural assemblage of living resources that inhabit these areas.”

(c) PURPOSES AND POLICIES.—Section 301(b) (16 U.S.C. 1431(b)) is amended—

(1) by striking “significance;” in paragraph (1) and inserting “significance and to manage these areas as the National Marine Sanctuary System;”;

(2) by striking paragraphs (3), (4), and (9);

(3) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively;

(4) by inserting after paragraph (2) the following:

“(3) to maintain the natural biological communities in the national marine sanctuaries, and to protect, and, where appropriate, restore and enhance natural habitats, populations, and ecological processes;

“(4) to enhance public awareness, understanding, appreciation, and wise and sustainable use of the marine environment, and the natural, historical, cultural, and archeological resources of the National Marine Sanctuary System;

“(5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;”;

(5) in paragraph (8), as redesignated, by striking “areas;” and inserting “areas, including the application of innovative management techniques; and”; and

(6) in paragraph (9), as redesignated, by striking “; and” and inserting a period.

(d) ESTABLISHMENT OF SYSTEM.—Section 301 is amended by adding at the end the following:

“(c) ESTABLISHMENT OF SYSTEM.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title.”.

SEC. 4. CHANGES IN DEFINITIONS.

(a) DAMAGES.—Paragraph (6) of section 302 (16 U.S.C. 1432) is amended—

(1) by striking “and” after the semicolon at the end of subparagraph (B); and

(2) by adding after subparagraph (C) the following:

“(D) the cost of curation and conservation of archeological, historical, and cultural sanctuary resources; and

“(E) the cost of enforcement actions undertaken by the Secretary in response to the destruction or loss of, or injury to, a sanctuary resource;”.

(b) RESPONSE COSTS.—Paragraph (7) of such section is amended by inserting “, including costs related to seizure, forfeiture, storage, or disposal arising from liability under section 312” after “injury” the second place it appears.

(c) SANCTUARY RESOURCE.—Paragraph (8) of such section is amended by striking “research, educational,” and inserting “educational, cultural, archeological, scientific,”.

(d) SYSTEM.—Such section is further amended—

(1) by striking “and” after the semicolon at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting “; and”; and

(3) by adding at the end the following:

“(10) ‘System’ means the National Marine Sanctuary System established by section 301.”.

SEC. 5. CHANGES RELATING TO SANCTUARY DESIGNATION STANDARDS.

(a) STANDARDS.—Section 303(a)(1) (16 U.S.C. 1433(a)(1)) is amended to read as follows:

“(1) determines that—

“(A) the designation will fulfill the purposes and policies of this title;

“(B) the area is of special national significance due to—

“(i) its conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities;

“(ii) the communities of living marine resources it harbors; or

“(iii) its resource or human-use values;

“(C) existing State and Federal authorities are inadequate or should be supplemented to ensure coordinated and comprehensive conservation and management of the area, including resource protection, scientific research, and public education;

“(D) designation of the area as a national marine sanctuary will facilitate the objectives in subparagraph (C); and

“(E) the area is of a size and nature that will permit comprehensive and coordinated conservation and management; and”.

(b) FACTORS; REPEAL OF REPORT REQUIREMENT.—Section 303(b) (16 U.S.C. 1433(b)) is amended—

(1) in paragraph (1) by striking “and” at the end of subparagraph (H), by striking the period at the end of subparagraph (I) and inserting a semicolon, and by adding at the end the following:

“(J) the area’s scientific value and value for monitoring the resources and natural processes that occur there;

“(K) the feasibility, where appropriate, of employing innovative management approaches to protect sanctuary resources or to manage compatible uses; and

“(L) the value of the area as an addition to the System.”; and

(2) by striking paragraph (3).

SEC. 6. CHANGES IN PROCEDURES FOR SANCTUARY DESIGNATION AND IMPLEMENTATION.

(a) SUBMISSION OF NOTICE OF PROPOSED DESIGNATION TO CONGRESS.—Section 304(a)(1)(C) (16 U.S.C. 1434(a)(1)(C)) is amended to read as follows:

“(C) no later than the day on which the notice required under subparagraph (A) is submitted to the Office of the Federal Register, the Secretary shall submit a copy of that notice and the draft sanctuary designation documents prepared pursuant to section 304(a)(2), including an executive summary, to the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Governor of

Deadline.
Notification.
Federal Register,
publication.

each State in which any part of the proposed sanctuary would be located.”

(b) SANCTUARY DESIGNATION.—Section 304(a)(2) (16 U.S.C. 1434(a)(2)) is amended to read as follows:

“(2) SANCTUARY DESIGNATION DOCUMENTS.—The Secretary shall prepare and make available to the public sanctuary designation documents on the proposal that include the following:

“(A) A draft environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(B) A resource assessment that documents—

“(i) present and potential uses of the area, including commercial and recreational fishing, research and education, minerals and energy development, subsistence uses, and other commercial, governmental, or recreational uses;

“(ii) after consultation with the Secretary of the Interior, any commercial, governmental, or recreational resource uses in the areas that are subject to the primary jurisdiction of the Department of the Interior; and

“(iii) information prepared in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator of the Environmental Protection Agency, on any past, present, or proposed future disposal or discharge of materials in the vicinity of the proposed sanctuary.

Public disclosure by the Secretary of such information shall be consistent with national security regulations.

“(C) A draft management plan for the proposed national marine sanctuary that includes the following:

“(i) The terms of the proposed designation.

“(ii) Proposed mechanisms to coordinate existing regulatory and management authorities within the area.

“(iii) The proposed goals and objectives, management responsibilities, resource studies, and appropriate strategies for managing sanctuary resources of the proposed sanctuary, including interpretation and education, innovative management strategies, research, monitoring and assessment, resource protection, restoration, enforcement, and surveillance activities.

“(iv) An evaluation of the advantages of cooperative State and Federal management if all or part of the proposed sanctuary is within the territorial limits of any State or is superjacent to the subsoil and seabed within the seaward boundary of a State, as that boundary is established under the Submerged Lands Act (43 U.S.C. 1301 et seq.).

“(v) An estimate of the annual cost to the Federal Government of the proposed designation, including costs of personnel, equipment and facilities, enforcement, research, and public education.

“(vi) The proposed regulations referred to in paragraph (1)(A).

“(D) Maps depicting the boundaries of the proposed sanctuary.

“(E) The basis for the findings made under section 303(a) with respect to the area.

“(F) An assessment of the considerations under section 303(b)(1).”.

(c) WITHDRAWAL OF DESIGNATION.—Section 304(b)(2) (16 U.S.C. 1434(b)(2)) is amended by inserting “or System” after “sanctuary” the second place it appears.

(d) FEDERAL AGENCY ACTIONS AFFECTING SANCTUARY RESOURCES.—Section 304(d) (16 U.S.C. 1434(d)) is amended by adding at the end the following:

“(4) FAILURE TO FOLLOW ALTERNATIVE.—If the head of a Federal agency takes an action other than an alternative recommended by the Secretary and such action results in the destruction of, loss of, or injury to a sanctuary resource, the head of the agency shall promptly prevent and mitigate further damage and restore or replace the sanctuary resource in a manner approved by the Secretary.”.

(e) EVALUATION OF PROGRESS IN IMPLEMENTING MANAGEMENT STRATEGIES.—Section 304(e) (16 U.S.C. 1434(e)) is amended—

(1) by striking “management techniques,” and inserting “management techniques and strategies,”; and

(2) by adding at the end the following: “This review shall include a prioritization of management objectives.”.

(f) LIMITATION ON DESIGNATION OF NEW SANCTUARIES.—Section 304 (16 U.S.C. 1434) is amended by adding at the end the following:

“(f) LIMITATION ON DESIGNATION OF NEW SANCTUARIES.—

“(1) FINDING REQUIRED.—The Secretary may not publish in the Federal Register any sanctuary designation notice or regulations proposing to designate a new sanctuary, unless the Secretary has published a finding that—

“(A) the addition of a new sanctuary will not have a negative impact on the System; and

“(B) sufficient resources were available in the fiscal year in which the finding is made to—

“(i) effectively implement sanctuary management plans for each sanctuary in the System; and

“(ii) complete site characterization studies and inventory known sanctuary resources, including cultural resources, for each sanctuary in the System within 10 years after the date that the finding is made if the resources available for those activities are maintained at the same level for each fiscal year in that 10 year period.

“(2) DEADLINE.—If the Secretary does not submit the findings required by paragraph (1) before February 1, 2004, the Secretary shall submit to the Congress before October 1, 2004, a finding with respect to whether the requirements of paragraph (2) have been met by all existing sanctuaries.

“(3) LIMITATION ON APPLICATION.—Paragraph (1) does not apply to any sanctuary designation documents for—

“(A) a Thunder Bay National Marine Sanctuary; or

“(B) a Northwestern Hawaiian Islands National Marine Sanctuary.”.

(g) NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF RESERVE.—

(1) PRESIDENTIAL DESIGNATION.—The President, after consultation with the Governor of the State of Hawaii, may designate any Northwestern Hawaiian Islands coral reef or coral

reef ecosystem as a coral reef reserve to be managed by the Secretary of Commerce.

(2) SECRETARIAL ACTION.—Upon the designation of a reserve under paragraph (1) by the President, the Secretary shall—

(A) take action to initiate the designation of the reserve as a National Marine Sanctuary under sections 303 and 304 of the National Marine Sanctuaries Act (16 U.S.C. 1433);

(B) establish a Northwestern Hawaiian Islands Reserve Advisory Council under section 315 of that Act (16 U.S.C. 1445a), the membership of which shall include at least 1 representative from Native Hawaiian groups; and

(C) until the reserve is designated as a National Marine Sanctuary, manage the reserve in a manner consistent with the purposes and policies of that Act.

(3) PUBLIC COMMENT.—Notwithstanding any other provision of law, no closure areas around the Northwestern Hawaiian Islands shall become permanent without adequate review and comment.

(4) COORDINATION.—The Secretary shall work with other Federal agencies and the Director of the National Science Foundation, to develop a coordinated plan to make vessels and other resources available for conservation or research activities for the reserve.

(5) REVIEW.—If the Secretary has not designated a national marine sanctuary in the Northwestern Hawaiian Islands under sections 303 and 304 of the National Marine Sanctuaries Act (16 U.S.C. 1433, 1434) before October 1, 2005, the Secretary shall conduct a review of the management of the reserve under section 304(e) of that Act (16 U.S.C. 1434(e)).

Deadline.

(6) REPORT.—No later than 6 months after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources, describing actions taken to implement this subsection, including costs of monitoring, enforcing, and addressing marine debris, and the extent to which the fiscal or other resources necessary to carry out this subsection are reflected in the Budget of the United States Government submitted by the President under section 1104 of title 31, United States Code.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce to carry out the provisions of this subsection such sums, not exceeding \$4,000,000 for each of fiscal years 2001, 2002, 2003, 2004, and 2005, as are reported under paragraph (6) to be reflected in the Budget of the United States Government.

SEC. 7. CHANGES IN ACTIVITIES PROHIBITED.

Section 306 (16 U.S.C. 1436) is amended—

(1) in the matter preceding paragraph (1) by inserting “for any person” after “unlawful”;

(2) in paragraph (2) by inserting “offer for sale, purchase, import, export,” after “sell,”; and

(3) by amending paragraph (3) to read as follows:

“(3) interfere with the enforcement of this title by—

“(A) refusing to permit any officer authorized to enforce this title to board a vessel, other than a vessel operated by the Department of Defense or United States Coast Guard, subject to such person’s control for the purposes of conducting any search or inspection in connection with the enforcement of this title;

“(B) resisting, opposing, impeding, intimidating, harassing, bribing, interfering with, or forcibly assaulting any person authorized by the Secretary to implement this title or any such authorized officer in the conduct of any search or inspection performed under this title; or

“(C) knowingly and willfully submitting false information to the Secretary or any officer authorized to enforce this title in connection with any search or inspection conducted under this title; or”.

SEC. 8. CHANGES IN ENFORCEMENT PROVISIONS.

(a) **POWERS OF AUTHORIZED OFFICERS TO ARREST.**—Section 307(b) (16 U.S.C. 1437(b)) is amended by striking “and” after the semicolon at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting “; and”, and by adding at the end the following:

“(6) arrest any person, if there is reasonable cause to believe that such person has committed an act prohibited by section 306(3).”.

(b) **CRIMINAL OFFENSES.**—Section 307 (16 U.S.C. 1437) is amended by redesignating subsections (c) through (j) in order as subsections (d) through (k), and by inserting after subsection (b) the following:

“(c) **CRIMINAL OFFENSES.**—

“(1) **OFFENSES.**—A person is guilty of an offense under this subsection if the person commits any act prohibited by section 306(3).

“(2) **PUNISHMENT.**—Any person that is guilty of an offense under this subsection—

“(A) except as provided in subparagraph (B), shall be fined under title 18, United States Code, imprisoned for not more than 6 months, or both; or

“(B) in the case of a person who in the commission of such an offense uses a dangerous weapon, engages in conduct that causes bodily injury to any person authorized to enforce this title or any person authorized to implement the provisions of this title, or places any such person in fear of imminent bodily injury, shall be fined under title 18, United States Code, imprisoned for not more than 10 years, or both.”.

(c) **SUBPOENAS OF ELECTRONIC FILES.**—Subsection (g) of section 307 (16 U.S.C. 1437), as redesignated by this section, is amended by inserting “electronic files,” after “books,”.

(d) **NATIONWIDE SERVICE OF PROCESS.**—Section 307 (16 U.S.C. 1437) is amended by adding at the end the following:

“(1) **NATIONWIDE SERVICE OF PROCESS.**—In any action by the United States under this title, process may be served in any district where the defendant is found, resides, transacts business, or has appointed an agent for the service of process.”.

SEC. 9. ADDITIONAL REGULATIONS AUTHORITY.

Section 308 (16 U.S.C. 1439) is amended to read as follows:

“SEC. 308. REGULATIONS.

“The Secretary may issue such regulations as may be necessary to carry out this title.”.

SEC. 10. CHANGES IN RESEARCH, MONITORING, AND EDUCATION PROVISIONS.

Section 309 (16 U.S.C. 1440) is amended to read as follows:

“SEC. 309. RESEARCH, MONITORING, AND EDUCATION.

“(a) **IN GENERAL.**—The Secretary shall conduct, support, or coordinate research, monitoring, evaluation, and education programs consistent with subsections (b) and (c) and the purposes and policies of this title.

“(b) RESEARCH AND MONITORING.—

“(1) **IN GENERAL.**—The Secretary may—

“(A) support, promote, and coordinate research on, and long-term monitoring of, sanctuary resources and natural processes that occur in national marine sanctuaries, including exploration, mapping, and environmental and socioeconomic assessment;

“(B) develop and test methods to enhance degraded habitats or restore damaged, injured, or lost sanctuary resources; and

“(C) support, promote, and coordinate research on, and the conservation, curation, and public display of, the cultural, archeological, and historical resources of national marine sanctuaries.

“(2) **AVAILABILITY OF RESULTS.**—The results of research and monitoring conducted, supported, or permitted by the Secretary under this subsection shall be made available to the public.

“(c) EDUCATION.—

“(1) **IN GENERAL.**—The Secretary may support, promote, and coordinate efforts to enhance public awareness, understanding, and appreciation of national marine sanctuaries and the System. Efforts supported, promoted, or coordinated under this subsection must emphasize the conservation goals and sustainable public uses of national marine sanctuaries and the System.

“(2) **EDUCATIONAL ACTIVITIES.**—Activities under this subsection may include education of the general public, teachers, students, national marine sanctuary users, and ocean and coastal resource managers.

“(d) INTERPRETIVE FACILITIES.—

“(1) **IN GENERAL.**—The Secretary may develop interpretive facilities near any national marine sanctuary.

“(2) **FACILITY REQUIREMENT.**—Any facility developed under this subsection must emphasize the conservation goals and sustainable public uses of national marine sanctuaries by providing the public with information about the conservation, recreational, ecological, historical, cultural, archeological, scientific, educational, or esthetic qualities of the national marine sanctuary.

“(e) **CONSULTATION AND COORDINATION.**—In conducting, supporting, and coordinating research, monitoring, evaluation, and education programs under subsection (a) and developing interpretive

facilities under subsection (d), the Secretary may consult or coordinate with Federal, interstate, or regional agencies, States or local governments.”.

SEC. 11. CHANGES IN SPECIAL USE PERMIT PROVISIONS.

Section 310 (16 U.S.C. 1441) is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (g), and by inserting after subsection (a) the following:

“(b) PUBLIC NOTICE REQUIRED.—The Secretary shall provide appropriate public notice before identifying any category of activity subject to a special use permit under subsection (a).”;

(2) by striking “insurance” in paragraph (4) of subsection (c), as redesignated, and inserting “insurance, or post an equivalent bond”;

(3) by striking “resource and a reasonable return to the United States Government.” in paragraph (2)(C) of subsection (d), as redesignated, and inserting “resource.”;

(4) in subsection (d)(3)(B), as redesignated, by striking “designating and”; and

(5) in subsection (d), as redesignated, by inserting after paragraph (3) the following:

“(4) WAIVER OR REDUCTION OF FEES.—The Secretary may accept in-kind contributions in lieu of a fee under paragraph (2)(C), or waive or reduce any fee assessed under this subsection for any activity that does not derive profit from the access to or use of sanctuary resources.”.

SEC. 12. CHANGES IN COOPERATIVE AGREEMENTS PROVISIONS.

(a) AGREEMENTS AND GRANTS.—Section 311(a) (16 U.S.C. 1442(a)) is amended to read as follows:

“(a) AGREEMENTS AND GRANTS.—The Secretary may enter into cooperative agreements, contracts, or other agreements with, or make grants to, States, local governments, regional agencies, interstate agencies, or other persons to carry out the purposes and policies of this title.”.

(b) USE OF RESOURCES FROM OTHER GOVERNMENT AGENCIES.—Section 311 (16 U.S.C. 1442) is amended by adding at the end the following:

“(e) USE OF RESOURCES OF OTHER GOVERNMENT AGENCIES.—The Secretary may, whenever appropriate, enter into an agreement with a State or other Federal agency to use the personnel, services, or facilities of such agency on a reimbursable or nonreimbursable basis, to assist in carrying out the purposes and policies of this title.

“(f) AUTHORITY TO OBTAIN GRANTS.—Notwithstanding any other provision of law that prohibits a Federal agency from receiving assistance, the Secretary may apply for, accept, and use grants from other Federal agencies, States, local governments, regional agencies, interstate agencies, foundations, or other persons, to carry out the purposes and policies of this title.”.

SEC. 13. CHANGES IN PROVISIONS CONCERNING DESTRUCTION, LOSS, OR INJURY.

(a) VENUE FOR CIVIL ACTIONS.—Section 312(c) (16 U.S.C. 1443(c)) is amended—

(1) by inserting “(1)” before the first sentence;

(2) in paragraph (1) (as so designated) in the first sentence by striking “in the United States district court for the appropriate district”; and

(3) by adding at the end the following:

“(2) An action under this subsection may be brought in the United States district court for any district in which—

“(A) the defendant is located, resides, or is doing business, in the case of an action against a person;

“(B) the vessel is located, in the case of an action against a vessel; or

“(C) the destruction of, loss of, or injury to a sanctuary resource occurred.”

(b) **USE OF RECOVERED AMOUNTS.**—Section 312(d) (16 U.S.C. 1443(d)) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) **RESPONSE COSTS.**—Amounts recovered by the United States for costs of response actions and damage assessments under this section shall be used, as the Secretary considers appropriate—

“(A) to reimburse the Secretary or any other Federal or State agency that conducted those activities; and

“(B) after reimbursement of such costs, to restore, replace, or acquire the equivalent of any sanctuary resource.

“(2) **OTHER AMOUNTS.**—All other amounts recovered shall be used, in order of priority—

“(A) to restore, replace, or acquire the equivalent of the sanctuary resources that were the subject of the action, including for costs of monitoring and the costs of curation and conservation of archeological, historical, and cultural sanctuary resources;

“(B) to restore degraded sanctuary resources of the national marine sanctuary that was the subject of the action, giving priority to sanctuary resources and habitats that are comparable to the sanctuary resources that were the subject of the action; and

“(C) to restore degraded sanctuary resources of other national marine sanctuaries.”

(c) **STATUTE OF LIMITATIONS.**—Section 312 (16 U.S.C. 1443) is amended by adding at the end the following:

“(e) **STATUTE OF LIMITATIONS.**—An action for response costs or damages under subsection (c) shall be barred unless the complaint is filed within 3 years after the date on which the Secretary completes a damage assessment and restoration plan for the sanctuary resources to which the action relates.”

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

Section 313 (16 U.S.C. 1444) is amended to read as follows:

“SEC. 313. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary—

“(1) to carry out this title—

“(A) \$32,000,000 for fiscal year 2001;

“(B) \$34,000,000 for fiscal year 2002;

“(C) \$36,000,000 for fiscal year 2003;

“(D) \$38,000,000 for fiscal year 2004;

“(E) \$40,000,000 for fiscal year 2005; and

“(2) for construction projects at national marine sanctuaries, \$6,000,000 for each of fiscal years 2001, 2002, 2003, 2004, and 2005.”

SEC. 15. CHANGES IN U.S.S. MONITOR PROVISIONS.

Section 314 (16 U.S.C. 1445) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 16. CHANGES IN ADVISORY COUNCIL PROVISIONS.

Section 315 (16 U.S.C. 1445a) is amended by striking “provide assistance” in subsection (a) and inserting “advise and make recommendations”.

SEC. 17. CHANGES IN THE SUPPORT ENHANCEMENT PROVISIONS.

Section 316 (16 U.S.C. 1445b) is amended—

(1) in subsection (a)(1), by inserting “or the System” after “sanctuaries”;

(2) in subsection (a)(4) by striking “use of any symbol published under paragraph (1)” and inserting “manufacture, reproduction, or other use of any symbol published under paragraph (1), including the sale of items bearing such a symbol.”;

(3) by amending subsection (e)(3) to read as follows:

“(3) to manufacture, reproduce, or otherwise use any symbol adopted by the Secretary under subsection (a)(1), including to sell any item bearing such a symbol, unless authorized by the Secretary under subsection (a)(4) or subsection (f); or”; and

(4) by adding at the end the following:

“(f) COLLABORATIONS.—The Secretary may authorize the use of a symbol adopted by the Secretary under subsection (a)(1) by any person engaged in a collaborative effort with the Secretary to carry out the purposes and policies of this title and to benefit a national marine sanctuary or the System.

“(g) AUTHORIZATION FOR NON-PROFIT PARTNER ORGANIZATION TO SOLICIT SPONSORS.—

“(1) IN GENERAL.—The Secretary may enter into an agreement with a non-profit partner organization authorizing it to assist in the administration of the sponsorship program established under this section. Under an agreement entered into under this paragraph, the Secretary may authorize the non-profit partner organization to solicit persons to be official sponsors of the national marine sanctuary system or of individual national marine sanctuaries, upon such terms as the Secretary deems reasonable and will contribute to the successful administration of the sanctuary system. The Secretary may also authorize the non-profit partner organization to collect the statutory contribution from the sponsor, and, subject to paragraph (2), transfer the contribution to the Secretary.

“(2) REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—Under the agreement entered into under paragraph (1), the Secretary may authorize the non-profit partner organization to retain not more than 5 percent of the amount of monetary contributions it receives from official sponsors under the agreement to offset the administrative costs of the organization in soliciting sponsors.

“(3) PARTNER ORGANIZATION DEFINED.—In this subsection, the term ‘partner organization’ means an organization that—

“(A) draws its membership from individuals, private organizations, corporations, academic institutions, or State and local governments; and

“(B) is established to promote the understanding of, education relating to, and the conservation of the resources of a particular sanctuary or 2 or more related sanctuaries.”.

SEC. 18. ESTABLISHMENT OF DR. NANCY FOSTER SCHOLARSHIP PROGRAM.

The National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) is amended by inserting after section 317 the following:

16 USC 1445c.

“SEC. 318. DR. NANCY FOSTER SCHOLARSHIP PROGRAM.

“(a) ESTABLISHMENT.—The Secretary shall establish and administer through the National Ocean Service the Dr. Nancy Foster Scholarship Program. Under the program, the Secretary shall award graduate education scholarships in oceanography, marine biology or maritime archeology, to be known as Dr. Nancy Foster Scholarships.

“(b) PURPOSES.—The purposes of the Dr. Nancy Foster Scholarship Program are—

“(1) to recognize outstanding scholarship in oceanography, marine biology, or maritime archeology, particularly by women and members of minority groups; and

“(2) to encourage independent graduate level research in oceanography, marine biology, or maritime archeology.

“(c) AWARD.—Each Dr. Nancy Foster Scholarship—

“(1) shall be used to support graduate studies in oceanography, marine biology, or maritime archeology at a graduate level institution of higher education; and

“(2) shall be awarded in accordance with guidelines issued by the Secretary.

“(d) DISTRIBUTION OF FUNDS.—The amount of each Dr. Nancy Foster Scholarship shall be provided directly to a recipient selected by the Secretary upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by a graduate level institution of higher education.

“(e) FUNDING.—Of the amount available each fiscal year to carry out this title, the Secretary shall award 1 percent as Dr. Nancy Foster Scholarships.

“(f) SCHOLARSHIP REPAYMENT REQUIREMENT.—The Secretary shall require an individual receiving a scholarship under this section to repay the full amount of the scholarship to the Secretary if the Secretary determines that the individual, in obtaining or using the scholarship, engaged in fraudulent conduct or failed to comply with any term or condition of the scholarship.

“(g) MARITIME ARCHEOLOGY DEFINED.—In this section the term ‘maritime archeology’ includes the curation, preservation, and display of maritime artifacts.”.

SEC. 19. CLERICAL AMENDMENTS.

(a) CORRECTION OF REFERENCES TO FORMER COMMITTEE.—The following provisions are amended by striking “Merchant Marine and Fisheries” and inserting “Resources”:

(1) Section 303(b)(2)(A) (16 U.S.C. 1433(b)(2)(A)).

(2) Section 304(a)(6) (16 U.S.C. 1434(a)(6)).

(b) CORRECTION OF REFERENCE TO RENAMED ACT.—(1) Section 302(2) is amended to read as follows:

16 USC 1432.

“(2) ‘Magnuson-Stevens Act’ means the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);”

(2) Section 302(9) is amended by striking “Magnuson Fishery Conservation and Management Act” and inserting “Magnuson-Stevens Act” 16 USC 1432.

(3) Section 303(b)(2)(D) is amended by striking “Magnuson Act” and inserting “Magnuson-Stevens Act” 16 USC 1433.

(4) Section 304(a)(5) is amended by striking “Magnuson Act” and inserting “Magnuson-Stevens Act” 16 USC 1434.

(5) Section 315(b)(2) (16 U.S.C. 1445a(b)(2)) is amended by striking “Magnuson Fishery Conservation and Management Act” and inserting “Magnuson-Stevens Act”.

(c) MISCELLANEOUS.—Section 312(a)(1) (16 U.S.C. 1443(a)(1)) is amended by striking “UNITED STATES” and inserting “UNITED STATES”.

Approved November 13, 2000.

LEGISLATIVE HISTORY—S. 1482 (H.R. 1243):

HOUSE REPORTS: No. 106–224 accompanying H.R. 1243 (Comm. on Resources).

SENATE REPORTS: No. 106–353 (Comm. on Commerce, Science, and Transportation.)

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 17, considered and passed Senate.

Oct. 24, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Nov. 13, Presidential statements.



likelihood of a participating company's increased exports to or business interests in India as a result of this mission;

- Demonstrated export experience in India and/or other foreign markets;
- Prior experience in public discussions, such as through conferences, business organizations, public/private entities, or academic fora, on policy issues related to market access for U.S. firms in India;
- Current or pending major project participation; and
- Rank/seniority of the designated company representative.

Additional factors, such as diversity of company size, type, location, and demographics, may also be considered during the review process.

Referrals from political organizations and any documents, including the application, containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and not considered during the selection process.

Timeframe for Recruitment and Applications: Mission recruitment will be conducted in an open and public manner, including publication in the **Federal Register** posting on the Commerce Department trade mission calendar (<http://www.ita.doc.gov/doctm/tmcal.html>) and other Internet Web sites, press releases to general and trade media, direct mail, broadcast fax, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows. The Commerce Department's Office of Business Liaison and the International Trade Administration will explore and welcome outreach assistance from other interested organizations, including other U.S. Government agencies.

Recruitment for this mission will begin immediately upon approval. Applications can be completed on-line at the India High Technology Business Development Mission Web site at <http://www.trade.gov/IndiaMission2011> or can be obtained by contacting the U.S. Department of Commerce Office of Business Liaison (202-482-1360 or IndiaMission2011@doc.gov). The application deadline is Tuesday, November 30, 2010. Completed applications should be submitted to the Office of Business Liaison. Applications received after Tuesday, November 30, 2010 will be considered only if space and scheduling constraints permit.

General Information and Applications:

The Office of Business Liaison, 1401 Constitution Avenue, NW., Room 5062, Washington, DC 20230. Tel: 202-482-

1360. Fax: 202-482-4054. E-mail: IndiaMission2011@doc.gov.

Clarence E. Burden,

US & FCS, Senior Budget Analyst, Commercial Service Trade Missions Program.

[FR Doc. 2010-28148 Filed 11-5-10; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Office of Education Dr. Nancy Foster Scholarship Program

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

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 January 7, 2011.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 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 Priti Brahma, 301-713-9437 or Priti.Brahma@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The proposed information collection is a reinstatement of a previous collection, with revisions in the requirements: a pre- and post-evaluation by participants, and a new application form.

The National Oceanic and Atmospheric Administration (NOAA) Office of Education (OEd) collects, evaluates and assesses student data and information for the purpose of selecting successful scholarship candidates, generating internal NOAA reports and articles to demonstrate the success of its program. The Dr. Nancy Foster Scholarship Program is available to graduate students pursuing masters and doctoral degrees in the areas of marine

biology, oceanography and maritime archaeology. The OEd requires applicants to the Dr. Nancy Foster Scholarship Program to complete an application and to supply references (e.g., from academic professors and advisors) in support of the scholarship application. Scholarship recipients are required to conduct a pre- and post-evaluation of their studies through the scholarship program to gather information about the level of knowledge, skills and behavioral changes that take place with the students before and after their program participation. The evaluation results support NOAA Office of National Marine Sanctuaries program performance measures. Scholarship recipients are also required to submit an annual progress report, a biographical sketch, and a photograph.

II. Method of Collection

All forms are electronic, and the primary methods of submittal are e-mail and Internet transmission. Approximately 1% of the application and reference forms may be mailed.

III. Data

OMB Control Number: 0648-0432.

Form Number: None.

Type of Review: Regular submission (reinstatement with change of a previously approved information collection).

Affected Public: Individuals or households.

Estimated Number of Respondents: 200.

Estimated Number of Annual Responses: 621.

Estimated Time per Response: Dr. Nancy Foster application form: 8 hours; Letter of Recommendation: 45 minutes; Bio/Photograph Submission: 1 hour; Annual Report: 1 hour, 30 minutes; and Evaluation: 15 minutes.

Estimated Total Annual Burden Hours: 1,919.

Estimated Total Annual Cost to Public: \$4,000.

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: November 2, 2010.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2010-28086 Filed 11-5-10; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1719]

Expansion of Foreign-Trade Zone 70; Detroit, Michigan

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Greater Detroit Foreign-Trade Zone, Inc., grantee of Foreign-Trade Zone 70, submitted an application to the Board for authority to expand FTZ 70 to include two sites in the Detroit, Michigan, area, adjacent to the Detroit Customs and Border Protection port of entry (FTZ Docket 14-2010, filed 2/24/2010);

Whereas, notice inviting public comment has been given in the **Federal Register** (75 FR 11514, 3/11/2010 and 75 FR 15679, 3/30/2010) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 70 is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 29th day of October 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2010-28165 Filed 11-5-10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XZ91

National Saltwater Angler Registry Program Designation of Exempted States

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

ACTION: Notice.

SUMMARY: NMFS has designated the states of Rhode Island, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Washington, and Guam as exempted states for anglers, spear fishers and for-hire fishing vessels. NMFS has designated the state of Maryland as an exempted state for for-hire fishing vessels pursuant to 50 CFR 600.

DATES: The designation of the states as exempted states is effective on November 8, 2010.

ADDRESSES: Gordon C. Colvin, Fishery Biologist, NMFS ST-12453, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Gordon C. Colvin, Fishery Biologist; (301) 713-2367 x175; *e-mail:* Gordon.Colvin@noaa.gov

SUPPLEMENTARY INFORMATION: The final rule implementing the National Saltwater Angler Registry Program, 50 CFR Subpart P, was published in the **Federal Register** on December 30, 2008. The final rule requires persons who are angling, spear fishing or operating a for-hire fishing vessel in the U.S. Exclusive Economic Zone or for anadromous species to register annually with NOAA. However, persons who are licensed or registered by, or state residents who are not required to register or hold a license issued by, a state that is designated as an exempted state are not required to register with NOAA. The final rule sets forth the requirements for states to be

designated as exempted states.

Generally, exempted states must agree to provide to NMFS names, addresses, dates of birth and telephone numbers of the persons licensed or registered under a qualifying state license and/or registry program, or to provide catch and effort data from a qualifying regional survey of recreational fishing, and enter into a Memorandum of Agreement with NMFS to formalize the data reporting agreement.

NMFS has received proposals for providing license/registry and/or regional survey catch and effort data from the states listed below, has determined that the states' programs qualify for exempted state designation under the provisions of the final rule, and has entered into Memoranda of Agreement with each of the states. Therefore, pursuant to 50 CFR 600.1415(b)(3), notice is hereby given that the following states are designated as exempted states under 50 CFR Subpart P: Rhode Island, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Washington, and Guam. Persons who hold a valid fishing license or registration issued by these exempted states for angling, spear fishing or operating a for-hire fishing vessel in tidal waters are not required to register with NOAA under 50 CFR 600.1405(b). Persons who are residents of these exempted states who are not required to hold a fishing license, or to be registered to fish under the laws of these exempted states, also are not required to register with NOAA. Further, pursuant to 50 CFR 600.1415(b)(3), notice is hereby given that the following state is designated as an exempted state only for for-hire fishing vessels: Maryland. Persons who hold a valid license or registration issued by this exempted state for operating a for-hire fishing vessel in tidal waters are not required to register with NOAA under 50 CFR 600.1405(b).

Dated: November 1, 2010.

Eric C. Schwaab,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2010-28058 Filed 11-5-10; 8:45 am]

BILLING CODE 3510-22-P