

after the date of publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted seven days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. Any hearing, if requested, will be held seven days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR § 355.38(e).

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order up until 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later than the date the case briefs are due under 19 CFR 355.38(c).

The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any case or rebuttal briefs.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 355.22.

Dated: March 12, 1996.

Paul L. Joffe,

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 96-6571 Filed 3-18-96; 8:45 am]

BILLING CODE 3510-DS-P

### Export Trade Certificate of Review

**ACTION:** Notice of Issuance of an amended Export Trade Certificate of Review, Application No. 89-6A016.

**SUMMARY:** On March 6, 1996, the Department of Commerce issued an amendment to the Export Trade Certificate of Review granted to the Geothermal Energy Association. The original Certificate was issued on February 5, 1990 and notice of issuance was published in the Federal Register on February 9, 1990 (55 FR 4647).

**FOR FURTHER INFORMATION CONTACT:** W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001-21) authorizes the Secretary of Commerce to

issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (1993).

The Office of Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the Federal Register. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

### Description of Amended Certificate

Geothermal Energy Association's Export Trade Certificate of Review has been amended to:

1. Add the following entity as a "Member" to the Certificate within the meaning of section 325.21 of the Regulations (15 C.F.R. 325.2(1)): Resource Group, Palm Desert, CA.

2. Delete Foster Valve Corporation substituting Ingram Cactus Company, as a "Member" Houston, TX; and delete Ormat Inc., substituting Ormat International, Inc. as a "Member," Sparks, NV.

A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Dated: March 13, 1996.

W. Dawn Busby,

*Director, Office of Export Trading Company Affairs.*

[FR Doc. 96-6508 Filed 3-18-96; 8:45 am]

BILLING CODE 3510-DR-P

### National Oceanic and Atmospheric Administration

[I.D. 031396A]

### Limited Access Management of Federal Fisheries In and Off of Alaska; Season Opening

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

**ACTION:** Notice of fishing season dates.

**SUMMARY:** NMFS is opening the directed fishery for sablefish with fixed gear managed under the Individual Fishing Quota (IFQ) program. The season will open on 12:00 noon, Alaska local time

(A.l.t.), March 15, 1996, and will close 12:00 noon, A.l.t., November 15, 1996. This period runs concurrently with the IFQ season for Pacific halibut announced by the International Pacific Halibut Commission (IPHC).

**EFFECTIVE DATE:** March 15, 1996, 12:00 noon, A.l.t., through November 15, 1996, 12:00 noon, A.l.t.

**FOR FURTHER INFORMATION CONTACT:** John Lepore, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** Beginning in 1995, fishing for Pacific halibut (*Hippoglossus stenolepis*) and sablefish (*Anoplopoma fimbria*) with fixed gear in the IFQ regulatory areas defined in § 676.11 have been managed under the IFQ Program. The IFQ Program is a regulatory regime designed to promote the conservation and management of these fisheries and to further the objectives of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and the Northern Pacific Halibut Act (16 U.S.C. 773-773k). Persons holding quota share, which represents a transferable harvest privilege, receive an annual allocation of IFQ. Persons receiving an annual allocation of IFQ are authorized to harvest IFQ species within specified limitations. Further information on the implementation of the IFQ Program, and the rationale supporting it, is contained in the preamble to the final rule implementing the IFQ Program published in the Federal Register, November 9, 1993 (58 FR 59375) and subsequent amendments.

This announcement is consistent with § 676.23(b), which requires that directed fishing for sablefish managed under the IFQ program be announced by the Director, Alaska Region, NMFS by publication in the Federal Register. This method of season announcement was selected to facilitate coordination between the sablefish season, chosen by the Director, Alaska Region, NMFS and the halibut season, chosen by the IPHC. The directed fishing season for sablefish with fixed gear managed under the IFQ program will open on 12:00 noon, A.l.t., March 15, 1996, and will close 12:00 noon, A.l.t., November 15, 1996. This period runs concurrently with the IFQ season for Pacific halibut announced by the IPHC.

Dated: March 13, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 96-6488 Filed 3-18-96; 8:45 am]

BILLING CODE 3510-22-F

[Docket No. 960223046-6046-1; I.D. 020696E]

RIN 0648-ZA09

# **Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry**

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

**ACTION:** Notice of availability of Federal assistance.

**SUMMARY:** NMFS issues this document describing the conditions under which applications will be accepted under the Saltonstall-Kennedy (S-K) Grant Program and how NMFS will select applications for funding in FY 1996. The S-K Grant Program assists eligible applicants in carrying out research and development projects that address aspects of U.S. fisheries (commercial or recreational), including, but not limited to, harvesting, processing, marketing, and associated infrastructures.

**DATES:** Applications must be received by close of business May 20, 1996 in one of the offices listed in **ADDRESSES**. Applicants must submit one signed original and two signed copies of the completed application. No facsimile applications will be accepted. Generally, the time required to process applications is 120 days from the closing date of the solicitation.

**ADDRESSES:** Application packages can be obtained from, and completed applications sent to any office listed below:

Regional Director, National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930; telephone: (508) 281-9267.

Regional Director, National Marine Fisheries Service, Koger Bldg., 9721 Executive Center Drive, North, St. Petersburg, FL 33702; telephone: (813) 570-5324.

Regional Director, National Marine Fisheries Service, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; telephone: (310) 980-4033.

Regional Director, National Marine Fisheries Service, BIN C15700, 7600 Sand Point Way, NE., Seattle, WA 98115; telephone: (206) 526-6117.

Regional Director, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802, or Federal Building, 709 W. 9th Street, 4th Floor, Juneau, AK 99801; telephone: (907) 586-7224.

## **FOR FURTHER INFORMATION CONTACT:**

Alicia L. Jarboe, S-K Program Manager, (301) 713-2358.

## **SUPPLEMENTARY INFORMATION:**

### **I. Introduction**

#### *A. Background*

The S-K Act, as amended (15 U.S.C. 713c-3), provides that a fund (known as the S-K fund) will be used to provide grants for fisheries research and development projects. The Secretary of Commerce makes such funds, as appropriated, available each year for grants and cooperative agreements to assist persons in carrying out research and development projects that address aspects of U.S. commercial and recreational fisheries. U.S. fisheries<sup>1</sup> include any fishery that is or may be engaged in by citizens or nationals of the United States, or citizens of the Northern Mariana Islands.

#### *B. Funding*

NMFS issues this document to solicit applications for Federal assistance, pursuant to 15 U.S.C. 713c-3(c), describing the conditions under which applications will be accepted under the S-K Grant program and how NMFS will select the applications it will fund.

The Fiscal Year 1996 base funding for this program is approximately \$7.0 million which will be used to support projects solicited under this document. The funding cycle will be contingent upon the appropriation of funds by the Congress of the United States.

#### *C. Catalogue of Federal Domestic Assistance*

The S-K Grant Program is listed in the "Catalog of Federal Domestic Assistance" under number 11.427, Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements Program.

### **II. Funding Priorities**

The following priorities, which are in no particular order, were developed with input from the public and in consideration of the NOAA Strategic Plan, which includes a focus on rebuilding U.S. fisheries for sustainable use.

Funding will not be provided for projects primarily involving infrastructure construction, port and harbor development, and start-up or operational costs for private business ventures.

Proposals submitted in response to this notice should build upon or take

<sup>1</sup> For purposes of this document, a fishery is defined as one or more stocks of fish, including tuna, and shellfish that are identified as a unit based on geographic, scientific, technical, recreational and economic characteristics, and any and all phases of fishing for such stocks. Examples of a fishery are Alaskan groundfish, Pacific whiting, and New England whiting.

into account any past and current work in the area, as well as relevant research in related fields.

Projects primarily involving data collection should be directed to a specific problem or need, and be of a fixed duration, not of a continuing nature.

If proposals received do not adequately respond to the listed priorities, NMFS may carry out, in addition to the program announced by this document, a national program of research and development addressed to aspects of U.S. fisheries pursuant to section 713c-3(d) of the S-K Act, as amended.

#### *A. Bycatch*

Develop methods for eliminating or reducing the inadvertent take, capture, or destruction of nontargeted, protected, or prohibited species (e.g., juvenile or sublegal-sized fish and shellfish, females of certain crabs, marine turtles, marine mammals) in fishing operations through the technical development, demonstration, or evaluation of fishing gear or harvesting strategies.

#### *B. Fisheries Utilization*

Optimize the utilization of harvestable resources available to the fishing industry through innovations in how such resources are harvested, processed, or marketed.

#### *C. Fisheries Management*

Develop innovative approaches to improve fisheries management, including but not limited to, assessment of alternative management systems and resolution of user conflicts.

#### *D. Aquaculture*

Develop or demonstrate cost-effective approaches for advancing environmentally sound private aquaculture development, including those associated with culturing systems, disease control, and meeting regulatory requirements.

#### *E. Product Quality and Safety*

Develop improved approaches to control seafood processing and environmentally induced hazards associated with fish and shellfish and their products.

### **III. How to Apply**

#### *A. Eligible Applicants*

Applications for grants or cooperative agreements for fisheries research and development projects may be made, in accordance with the procedures set forth in this document, by:

1. Any individual who is a citizen or national of the United States;

2. Any individual who is a citizen of the Northern Mariana Islands (NMI), being an individual who qualifies as such under section 8 of the Schedule on Transitional Matters attached to the constitution of the NMI;

3. Any fisheries development foundation or other private non-profit corporation located in Alaska; or

4. Any corporation, partnership, association, or other non-federal entity, non-profit or otherwise, if such entity is a citizen of the United States or Northern Mariana Islands, within the meaning of section 2 of the Shipping Act, 1916, as amended (46 App. U.S.C. 802).

DOC/NOAA/NMFS are committed to cultural and gender diversity in their programs and encourage women and minority individuals and groups to submit applications. Recognizing the interest of the Secretaries of Commerce and Interior in defining appropriate fisheries policies and programs that meet the needs of the U.S. insular areas, applications that meet such needs are also encouraged.

DOC/NOAA/NMFS employees, including full-time, part-time, and intermittent personnel (or their spouses or blood relatives who are members of their immediate households) are not eligible to submit an application under this solicitation or aid in the preparation of an application, except to provide information on program goals, funding priorities, application procedures, and completion of application forms. Since this is a competitive program, NMFS employees will not provide assistance in conceptualizing, developing, or structuring proposals, or write letters of support for a proposal.

Employees of Federal agencies, and Regional Fishery Management Councils and their members and employees, are not eligible to submit an application under this solicitation.

#### *B. Duration and Terms of Funding*

Generally, grants or cooperative agreements are awarded for a period of 1 year, but no more than 18 months at a time.

If an application for an award is selected for funding, NMFS has no obligation to provide any additional prospective funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the agency.

Publication of this announcement does not obligate NMFS to award any specific grant or cooperative agreement or to obligate any part or the entire amount of funds available.

#### *C. Cost-Sharing*

Although the S-K Act, as amended, does not require that applicants share in the total costs of a project, such sharing is encouraged. Cost-sharing will not be a factor in the technical evaluation of an application. However, the degree of cost-sharing may be taken into account in the final selection of projects to be funded. If applicants choose to cost-share, and if their applications are selected for funding, those applicants will be obligated to account for the amount of cost-share reflected in the award documents.

If project costs are shared, NMFS must provide at least 50 percent of total project costs, as provided by statute. The percentage of the total project costs provided from non-Federal sources may be up to 50 percent of the costs of the project. The non-Federal share may include funds received from private sources or from state or local governments or the value of in-kind contributions. Federal funds may not be used to meet the non-Federal share except as provided by Federal statute. In-kind contributions are noncash contributions provided by the applicant or non-Federal third parties. In-kind contributions may be in the form of, but are not limited to, personal services rendered in carrying out functions related to the project, and permission to use real or personal property owned by others (for which consideration is not required) in carrying out the project.

The appropriateness of all cost-sharing proposals, including the valuation of in-kind contributions, will be determined on the basis of guidance provided in the relevant Office of Management and Budget (OMB) Circulars. In general, the value of in-kind services or property used to fulfill the applicant's cost-share will be the fair market value of the services or property. Thus, the value is equivalent to the costs of obtaining such services or property if they had not been donated. Appropriate documentation must exist to support in-kind services or property used to fulfill the applicant's cost-share.

#### *D. Format*

Applications for project funding must be complete. They must identify the principal participants and include copies of any agreements between the participants and the applicant describing the specific tasks to be performed. Project applications must identify the specific priority(ies) contained in section II of this document to which the application responds. If an application does not respond to a priority, it should be so stated. Project

applications must be clearly and completely submitted in the format that follows.

1. *Cover sheet:* An applicant must use OMB Standard Form 424A and B (4-92) as the cover sheet for each project. (In completing item 16 of Standard Form 424A, see section V.A.5. of this document.)

2. *Project Summary:* An applicant must complete NOAA Form 88-204 (10-95), Project Summary, for each project.

3. *Project Budget:* A budget must be submitted for each project, using NOAA Form 88-205 (10-95), Project Budget and associated instructions. The applicants must submit detailed cost estimates showing total project costs. Cost-sharing is discretionary, but if applicants choose to cost-share, both the Federal and non-Federal shares must be shown, divided into cash and in-kind contributions. To support the budget, the applicant must describe briefly the basis for estimating the value of the matching funds derived from in-kind contributions. Estimates of the direct costs must be specified in the categories listed on the Project Budget form.

The budget may also include an amount for indirect costs if the applicant has an established indirect cost rate with the Federal Government. The total dollar amount of the indirect costs proposed in an application under this program must not exceed the indirect cost rate negotiated and approved by the applicant's cognizant Federal agency prior to the proposed effective date of the award, or 25 percent of the Federal share of the total proposed direct costs dollar amount in the application, whichever is less. Applicants with indirect cost rates above 25 percent of the Federal share of total direct costs may use the amount above the 25-percent level as part of the non-Federal share. A copy of the current, approved, negotiated indirect cost agreement with the Federal Government must be included.

NMFS will not consider fees or profits as allowable costs for applicants.

The total costs of a project consist of all costs incurred, including the value of in-kind contributions, in accomplishing project objectives during the life of the project. A project begins on the effective date of an award agreement between the applicant and an authorized representative of the U.S. Government and ends on the date specified in the award. Accordingly, the time expended and costs incurred in either the development of a project or the financial assistance application, or in any subsequent discussions or negotiations prior to award, are neither reimbursable

nor recognizable as part of the cost-share.

4. *Narrative Project Description:* The narrative project description may be up to 15 pages in length. Each project must be described as follows:

a. *Project goals and objectives:* State the need for the proposed project and what it is expected to accomplish. Identify the specific priority(ies) to which the project responds. As appropriate, include the fisheries involved and the sectors of the fishing industry affected. If the application is for the continuation of an existing S-K funded project, describe in detail the progress to date and explain why continued funding is necessary.

b. *Need for government financial assistance:* Explain why government financial assistance is needed for the proposed work. List all other sources of funding that are being or have been sought for the project.

c. *Participation by persons or groups other than the applicant:* Describe the participation by government and non-government entities, particularly members of the fishing industry, in the project, and the nature of such participation.

d. *Federal, state, and local government activities and permits:* List any existing Federal, state, or local government programs or activities that this project would affect, including activities requiring certification under state Coastal Zone Management Plans, those requiring section 404 or section 10 permits issued by the Corps of Engineers, those requiring experimental fishing or other permits under fishery management plans, and those requiring scientific permits under the Endangered Species Act and/or the Marine Mammal Protection Act. Describe the relationship between the project and these plans or activities, and list names and addresses of persons providing this information.

e. *Project statement of work:* The statement of work is an action plan of activities to be conducted during the period of the project. This section requires the applicant to prepare a detailed narrative, fully describing the work to be performed that will achieve the previously articulated goals and objectives. The narrative should respond to the following questions:

(1) What is the project design? What specific work, activities, procedures, statistical design, or analytical methods will be undertaken, and what are the major products?

(2) Who will be responsible for carrying out the various activities? (Highlight work that will be subcontracted and provisions for competitive subcontracting.)

A milestone chart must be included which graphically illustrates the specific activities and associated time lines to conduct the scope of work. Time lines should be described in increments, e.g., month 1, month 2, rather than specific dates. The individual(s) responsible for the various specific activities shall be identified.

Because this information is critical to understanding and reviewing the application, NMFS encourages applicants to provide sufficient detail. Applications lacking sufficient detail may be eliminated from further consideration.

f. *Project management:* Describe how the project will be organized and managed. List all persons directly employed by the applicant who will be involved in the project. Provide a statement of their qualifications and experience (e.g., resume or curriculum vitae), and indicate their level of involvement in the project. If any portion of the project will be conducted through consultants and/or subcontracts, applicants must follow procurement guidance in 15 CFR part 24, "Grants and Cooperative Agreements to State and Local Governments," and OMB Circular A-110 for Institutions of Higher Education, Hospitals, and other Non-profit Organizations. Commercial organizations and individuals who apply should use OMB Circular A-110. If a consultant and/or subcontractor is selected prior to application submission, include the name and qualifications of the consultant and/or subcontractor and the process used for selection.

g. *Project impacts:* Describe the anticipated impacts of the project in terms of reduced bycatch, increased product yield, improvement in product quality or safety, or other measurable factors. Describe how the results of the project will be made available to the public.

h. *Evaluation of project:* Describe the procedures for evaluating the relative success or failure of a project in achieving its objectives.

5. *Supporting documentation:* This section should include any required documents and any additional information necessary or useful to the description of the project. The amount of information given in this section will depend on the type of project proposed.

#### IV. Evaluation Criteria and Selection Procedures

##### A. Evaluation of Proposed Projects

1. *Initial screening of applications:* Upon receipt NMFS will screen

applications for conformance with requirements set forth in this document. Applications which do not conform to the requirements may not be considered for further evaluation. In addition, proposals from ineligible applicants or those seeking funds primarily for infrastructure development and business costs will not be considered, and will be returned to the applicant.

2. *Consultation with interested parties:* As appropriate, NMFS will consult with NMFS Offices, the NOAA Grants Management Division, Department and other Federal and state agencies, the Regional Fishery Management Councils, and other interested parties who may be affected by or have knowledge of a specific proposal or its subject matter.

3. *Technical evaluation:* NMFS will solicit individual technical evaluations of each project application from three or more appropriate private and public sector experts. These reviewers will assign scores ranging from a minimum of 60 (poor) to a maximum of 100 (excellent) to applications based on the following evaluation criteria, with weights shown in parentheses:

a. *Soundness of project design/conceptual approach:* Applications will be evaluated on the statement of need for the project; the conceptual approach; whether the applicant provided sufficient information to evaluate the project technically; and, if so, the strengths and/or weaknesses of the technical design relative to securing productive results. (50 percent)

b. *Project management and experience and qualifications of personnel:* The organization and management of the project, and the project's principal investigator and other personnel in terms of related experience and qualifications will be evaluated. Those projects that do not identify the principal investigator with his or her qualifications will receive a lower point score. (25 percent)

c. *Project evaluation:* The effectiveness of the applicant's proposed methods to monitor and evaluate the success or failure of the project in terms of meeting its original objectives will be examined. (10 percent)

d. *Project costs:* The justification and allocation of the budget in terms of the work to be performed will be evaluated. Unreasonably high or low project costs will be taken into account. (15 percent)

In addition to the above criteria, in reviewing applications that include consultants and contracts, NMFS will make a determination regarding the following:

(1) Is the involvement of the primary applicant necessary to the conduct of

the project and the accomplishment of its objectives?

(2) Is the proposed allocation of the primary applicant's time reasonable and commensurate with the applicant's involvement in the project?

(3) Are the proposed costs for the primary applicant's involvement in the project reasonable and commensurate with the benefits to be derived from the applicant's participation?

4. *Constituent Panel:* After the technical evaluation, individual comments will be solicited from a panel of three or more representatives selected by the Assistant Administrator for Fisheries, NOAA (AA), from the fishing industry, state government, and others, as appropriate, to rank the projects. Considered in the rankings, along with the technical evaluation, will be the significance of the problem or opportunities addressed in the project. Each panelist will rank each project in terms of importance or need for funding, and provide recommendations on the level of funding NMFS should award and the merits of funding each project.

#### *B. Selection Procedures and Project Funding*

After projects have been evaluated and ranked, the reviewing NMFS offices will develop recommendations for project funding. These recommendations will be submitted to the AA who will determine the projects to be funded, ensuring that there is no duplication with other projects funded by NOAA or other Federal organizations, and that the projects selected for funding are those that best meet the objectives of the S-K Grant Program.

The exact amount of funds awarded to a project will be determined in preaward negotiations between the applicant and NOAA/NMFS program and grants management representatives. The funding instrument (grant or cooperative agreement) will be determined by the NOAA Grants Management Division. Projects should not be initiated in expectation of Federal funding until a notice of award document is received.

### V. Administrative Requirements

#### A. Obligation of the Applicant

An Applicant must:

1. Meet all application requirements and provide all information necessary for the evaluation of the proposal.
2. Be available, upon request, to respond to questions during the review and evaluation of the proposal(s).
3. Complete Form CD-511, "Certification Regarding Debarment,

Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." The following explanations are provided:

a. *Nonprocurement debarment and suspension.* Prospective participants (as defined at 15 CFR part 26, section 105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

b. *Drug-free workplace.* Grantees (as defined at 15 CFR part 26, section 605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)," and the related section of the certification form prescribed above applies;

c. *Anti-lobbying.* Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000, or the single family maximum mortgage limit for affected programs, whichever is greater; and

d. *Anti-lobbying disclosures.* Any applicant who has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, appendix B.

4. If applicable, require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to Commerce. SF-LLL submitted by any tier recipient or subrecipient should be submitted to Commerce in accordance with the instructions contained in the award document. This requirement applies only to applicants whose applications are recommended for funding. All required forms will be provided to successful applicants.

5. Complete item 16 on Standard Form 424A (4-92) regarding clearance by the State Point of Contact (SPOC) established as a result of E.O. 12372. A list of SPOCs may be obtained from any of the NMFS offices listed in this

document (see **ADDRESSES**), and is also included in the "Catalog of Federal Domestic Assistance."

6. Complete Standard Form 424B (4-92), "Assurances—Non-construction Programs."

#### *B. Other Requirements*

##### *1. Federal policies and procedures.*

Recipients and subrecipients are subject to all Federal laws and Federal and Commerce policies, regulations, and procedures applicable to Federal financial assistance awards.

2. *Name check review.* All recipients are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the recipient have been convicted of, or are presently facing, criminal charges such as fraud, theft, perjury, or other matters that significantly reflect on the recipient's management, honesty, or financial integrity.

3. *Financial management certification/preaward accounting survey.* Successful applicants for S-K funding, at the discretion of the NOAA Grants Officer, may be required to have their financial management systems certified by an independent public accountant as being in compliance with Federal standards specified in the applicable OMB Circulars prior to execution of the award. Any first-time applicant for Federal grant funds may be subject to a preaward accounting survey by Commerce prior to execution of the award.

4. *Past performance.* Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

5. *Delinquent federal debts.* No award of federal funds shall be made to an applicant or to its subrecipients who have an outstanding delinquent federal debt or fine until either:

- a. The delinquent account is paid in full,
- b. A negotiated repayment schedule is established and at least one payment is received, or
- c. Other arrangements satisfactory to Commerce are made.

6. *Buy American-made equipment or products.* Applicants are hereby notified that they are encouraged, to the extent feasible, to purchase American-made equipment and products with funding under this program.

7. *Preaward activities.* If applicants incur any costs prior to an award being made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that may have been received, there is no

obligation on the part of Commerce to cover preaward costs.

8. *False statements.* A false statement on the application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment (18 U.S.C. 1001).

#### Classification

This action has been determined to be not significant for purposes of E.O. 12866.

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

This document contains a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by OMB, OMB control number 0648-0135.

A notice of availability of financial assistance for fisheries research and development projects will also appear in the "Commerce Business Daily."

Dated: April 12, 1996.

Gary Matlock,

*Program Management Officer, National Marine Fisheries Service.*

[FR Doc. 96-6490 Filed 3-18-96; 8:45 am]

BILLING CODE 3510-22-F

#### [I.D. 022396E]

#### Marine Mammals

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

**ACTION:** Receipt of modification request for scientific research permit no. 868 (P539).

**SUMMARY:** Notice is hereby given that Norihisa Baba, National Research Institute of Far Seas Fisheries, Ministry of Agriculture, Forestry and Fisheries, 5-7-1 Orido, Shimizu, Shizuoka 424, Japan, has requested a modification to permit no. 868 to take the marine mammals listed below for the purpose of scientific research.

**ADDRESSES:** The modification request and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289); and

Director, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221).

Written data or views, or requests for a public hearing on this request, should be submitted to the Chief, Permits

Division, F/PR1, Office of Protected Resources, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Concurrent with the publication of this notice in the Federal Register, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject modification to permit no. 868, issued on July 19, 1993, (58 FR 39525) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulation Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.* and fur seal regulations at 50 CFR part 215.

The permit holder seeks authorization to capture, tag, mark, and collect tissue samples from northern fur seals (*Callorhinus ursinus*) in Alaska in June through August 1999. This request would extend the permit from the Modification 1 expiration date of September 30, 1996 until September 30, 1999.

Dated: March 6, 1996.

Ann D. Terbush,

*Chief, Permits & Documentation Division, National Marine Fisheries Service.*

[FR Doc. 96-6489 Filed 3-18-96; 8:45 am]

BILLING CODE 3510-22-F

#### DEPARTMENT OF DEFENSE

#### Department Of The Air Force

#### Community College Of The Air Force Meeting

The Community College of the Air Force (CCAF) Board of Visitors will hold a meeting on 30 April 1996 at 11:00 a.m. via teleconference. The meeting will be open to the public. Members of the public who wish to attend the meeting may do so via a public access terminal in the Air University Conference Room, Building 800, 55 LeMay Plaza South, Maxwell Air Force Base, Alabama.

The purpose of the meeting is to review and discuss academic policies and issues relative to the operation of CCAF. Agenda items include reaffirmation of the CCAF and proposed responses by the college to the Southern Association of Colleges and Schools Commission on Colleges.

For further information, contact Captain Kyle Monson, (334) 953-2703,

Community College of the Air Force, Maxwell Air Force Base, Alabama, 36112-6613.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 96-6573 Filed 3-18-96; 8:45 am]

BILLING CODE 3910-01-P

#### Department of the Army

#### Nontemporary Storage (NTS) Program

**AGENCY:** Military Traffic Management Command (MTMC), DOD.

**ACTION:** Notice.

**SUMMARY:** Provide notification of MTMC's intent to increase warehouseman's legal liability from the current \$50 per article or package to \$1.25 times the net weight (in pounds) of the shipment. The increase in liability will be reflected in a change to paragraphs H-6 and C-7h(2) of the Basic Ordering Agreement (BOA) for Storage of Personal Property and Related Services. The increased liability is intended to improve the quality of service, especially in the area of missing items. This action has already been implemented for International Through Government Bill of Lading (ITGBL) shipments, and domestic interstate and intrastate shipments. This action will provide the military service claims offices more equitable recovery of amounts due for personal property lost or damaged while in NTS. The current process for processing claims will remain the same. Contractors will be given the opportunity to submit new NTS rates prior to implementation of this change to the terms and conditions of the BOA. Implementation is scheduled for 1 Nov 96. The following is the change, by paragraph, to the BOA.

Paragraph H-6a., First Sentence:

#### Liability for Care of Property

a. Except as hereafter provided, and notwithstanding payment for storage and other services, the contractor shall be liable in an amount not exceeding \$1.25 times the net weight (in pounds) of the shipment for any loss or damage to personal property caused by the failure to exercise the care of a reasonably prudent owner of similar property. The contractor shall not be liable for any loss or damage to the personal property which is caused by acts or conditions beyond its control and without fault or negligence.

Paragraph C-7h(2);

Maintain coverage in minimum limits of \$1.25 per pound at each location.