

### Other Requirements

(1) Applicants may obtain a standard NOAA application kit from the NOAA Office of Grants Management. Primary applicant Certification—All primary applicants must submit a completed Form CD-511, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." Applicants are also hereby notified of the following:

(2) Nonprocurement Debarment and Suspension. Prospective participants (as defined at 15 CFR 26.105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension," and the related section of the certification form prescribed above applies; to State and Local Governments, as applicable. Applications under this program are not subject to E.O. 12372, "Intergovernmental Review of Federal Programs."

(3) All non-profit and for-profit applicants are subject to a name check review process. Name checks are intended to reveal whether any key individuals associated with the applicant have been convicted of, or are presently facing, criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management, honesty, or financial integrity.

(4) A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

(5) No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either:

- (i) the delinquent account is paid in full,
- (ii) A negotiated repayment schedule is established and at least one payment is received, or
- (iii) Other arrangements satisfactory to DOC.

(6) Buy American-Made Equipment or Products. Applicants who are authorized to purchase equipment or products with funding provided under this program are encouraged to purchase American-made equipment and products to the maximum extent feasible.

(7) 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 a cognizant Federal agency prior to the proposed effective date of the award.

(8) Federal Policies and Procedures. Recipients and subrecipients are subject

to all Federal laws and Federal and DOC policies, regulations, and procedures applicable to Federal financial assistance awards.

(9) Pre-award 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 DOC to cover pre-award costs.

(10) Drug-Free Workplace. Grantees (as defined at 15 CFR Part 26, Section 605) are subject to 15 CFR Part 26, Subpart F, "Government-wide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies.

(11) 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.

(12) Anti-Lobbying Disclosures. Any applicant that 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.

(13) Lower Tier Certifications. Recipients shall require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier-covered transactions at any tier under the award to submit, if applicable, 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 DOC. SF-LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document. If an application is selected for funding, the DOC has no obligation to provide any additional future funding in connection with the award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the DOC.

In accordance with Federal statutes and regulations, no person on grounds

of race, color, age, sex, national origin, or disability shall be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from the NOAA NWS. The NOAA NWS does not have a direct telephonic device for the deaf (TDD capabilities can be reached through the State of Maryland-supplied TDD contact number, 800-735-2258, between the hours of 8 a.m.-4:30 p.m.

This notice contains collection-of-information requirements subject to the Paperwork Reduction Act. The standard application forms required to be used have been approved by the Office of Management and Budget under control numbers 0348-0043, 0348-0044, and 0348-0046. Notwithstanding any other provision of law, no person is required to respond to nor shall a 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 current valid OMB control number.

**Authority:** 15 U.S.C. 313; 49 U.S.C. 44720 (b); 33 U.S.C. 883d, 883e; 15 U.S.C. 2904; 15 U.S.C. 2931 *et seq.* (CFDA No.11.468)—Applied Meteorological Research.

**Classification:** This notice has been determined to be not significant for purposes of E.O. 12866. The standard forms have been approved by the Office of Management and Budget pursuant to the Paperwork Reduction Act under OMB approval number 0348-0043, 0348-0044, and 0348-0046.

Dated: June 7, 1999.

**John J. Kelly, Jr.,**

*Assistant Administrator for Weather Services.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 052799A]

#### Incidental Take of Marine Mammals; Bottlenose Dolphins and Spotted Dolphins

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

**ACTION:** Notice of issuance of letters of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification

is hereby given that 1-year letters of authorization to take bottlenose and spotted dolphins incidental to oil and gas structure removal activities were issued on May 4, 1999, to the Newfield Exploration Company and to BP Amoco; on May 7, 1999, to the Amerada Hess Corporation; and on June 3, 1999, to the Shoreline Exploration Corporation and the EEX Corporation, all from Houston, TX.

**ADDRESSES:** The applications and letters are available for review in the following offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and the Southeast Region, NMFS, 9721 Executive Center Drive N, St. Petersburg, FL 33702.

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hollingshead, Office of Protected Resources, NMFS, (301) 713-2055 or David Bernhart, Southeast Region (727) 570-5312.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of bottlenose and spotted dolphins incidental to oil and gas structure removal activities in the Gulf of Mexico were published on October 12, 1995 (60 FR 53139), and remain in effect until November 13, 2000.

Issuance of these letters of authorization are based on a finding that the total takings will have a negligible

impact on the bottlenose and spotted dolphin stocks of the Gulf of Mexico.

Dated: June 3, 1999.

**Hilda Diaz-Soltero,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 051899A]

#### Marine Mammals; File No. 930-1486

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that U.S. Geological Survey, Biological Resources Division, Western Ecological Research Center, 6924 Tremont Road, Dixon, CA 95620 (Principal Investigator: Mr. Dennis Orthmeyer) has been issued a permit to inadvertently harass various cetacean and pinniped species during aerial surveys for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289); and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (562-980-4001).

**FOR FURTHER INFORMATION CONTACT:** Ruth Johnson or Sara Shapiro 301/713-2289.

**SUPPLEMENTARY INFORMATION:** On March 29, 1999, notice was published in the **Federal Register** (64 FR 14886) that a request for a scientific research permit to take marine mammals had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 222-226), and the Fur Seal Act of

1966, as amended (16 U.S.C. 1151 *et seq.*).

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: June 3, 1999.

**Jeannie Drevenak,**

*Acting Chief, Permits and Documentation  
Division, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 99-14787 Filed 6-9-99; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### Chicago Board of Trade Petition for Exemption From the Statutory Dual Trading Prohibition in the Ten-Year U.S. Treasury Note Futures Contract Traded on the Project A Electronic Trading System

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Amended order.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission") is amending its February 26, 1999 Order granting the Chicago Board of Trade ("CBT") or "Exchange") an exemption from the statutory prohibition against dual trading in the U.S. Treasury Bond futures contract ("T-Bond") traded on its Project A electronic trading system to include the Ten-Year U.S. Treasury Note ("Ten-Year T-Note") futures contract traded on Project A.

**DATES:** This Order is to be effective June 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Rachel F. Berdansly, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st St., NW., Washington, DC 20581; telephone (202) 418-5490.

**SUPPLEMENTARY INFORMATION:** On February 26, 1999, the Commission issued an Order granting CBT an exemption from the statutory dual trading prohibition for its T-Bond futures contract as traded on the Exchange's electronic trading system, Project A.<sup>1</sup> In issuing the Order, the Commission found that CBT met the standards for granting a dual trading

<sup>1</sup> 64 FR 10450 (March 4, 1999). A copy of this Order is attached as Appendix A.