

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-XD61

**Marine Mammals; File No. 10080**

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

**ACTION:** Notice; receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Dr. Kathryn A. Ono, Department of Biological Sciences, University of New England, Biddeford, ME, has requested a major amendment to Permit No. 10080 for research on marine mammals.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before March 12, 2008.

**ADDRESSES:** The amendment request and related documents are available for review upon written request or by appointment in the following office(s): Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978) 281-9300; fax (978) 281-9394.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 10080.

**FOR FURTHER INFORMATION CONTACT:** Tammy Adams or Jaclyn Daly, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The amendment is requested under the authority of the Marine Mammal Protection Act of 1972, as amended

(MMPA; 16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Permit No. 10080, issued on December 18, 2007 (72 FR 72996) and valid through December 31, 2012, authorizes research to examine expanding populations of the Western North Atlantic stocks of harbor seals (*Phoca vitulina concolor*) and gray seals (*Halichoerus grypus*) in the Gulf of Maine. In addition to capture and sampling activities, the permit authorizes harassment of up to 1000 gray seals annually incidental to boat approaches to seals on haul outs. In consideration of the increasing size of this population, the applicant has requested an increase in the number of seals that may be harassed by this activity: up to 2000 annually.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), NMFS has initially determined that issuance of the proposed permit is consistent with a category of activities identified in NOAA Administrative Order 216-6 that do not individually or cumulatively have the potential to pose significant impacts on the quality of the human environment and are therefore exempted from further environmental review and requirements to prepare environmental review documents.

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

Dated: February 5, 2008.

**Tammy C Adams,**

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

[FR Doc. E8-2489 Filed 2-8-08; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF DEFENSE****Office of the Secretary of Defense****Missile Defense Advisory Committee**

**AGENCY:** Department of Defense; Missile Defense Agency (MDA).

**ACTION:** Notice of Closed Meeting.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended) and 41 CFR 102-3.150, the Department of Defense announces that the following

Federal advisory committee meeting will take place.

**Name of Committee:** Missile Defense Advisory Committee.

**Dates of Meeting:** Tuesday, February 26 and Wednesday, February 27, 2008.

**Time:** 8 a.m. to 5 p.m. Security clearance and visit requests are required for access.

**Location:** 7100 Defense Pentagon, Washington, DC 20301-7100.

**Purpose of the Meeting:** At this meeting, the Committee will receive classified briefings by Missile Defense Agency senior staff, Program Managers, senior Department of Defense leaders, representatives from industry and the Services on the appropriate role for the Missile Defense Agency in Cruise Missile Defense.

**Agenda:** Topics tentatively scheduled for discussion include, but are not limited to administrative work; Current and Potential Service Capabilities and Responsibilities in Joint Cruise Missile Defense; Review of Governing Directives; and an Update on MDA's Engineering Capabilities and Responsibilities.

**Meeting Accessibility:** Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102-3.155 the Missile Defense Agency has determined that the meeting shall be closed to the public. The Director, Missile Defense Agency, in consultation with the Missile Defense Agency Office of General Counsel, has determined in writing that the public interest requires that all sessions of the committee's meeting will be closed to the public because they will be concerned with classified information and matters covered by section 5 U.S.C. 552b(c)(1).

Committee's Designated Federal Officer: Mr. Al Bready, [mdac@mda.mil](mailto:mdac@mda.mil), phone/voice mail 703-695-6438, or mail at 7100 Defense Pentagon, Washington, DC 20301-7100.

**SUPPLEMENTARY INFORMATION:** Pursuant to 41 CFR 102-3.105(j) and 102-3.140, and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written statements to the membership of the Missile Defense Advisory Committee about its mission and functions. Written statements may be submitted at any time or in response to the stated agenda of a planned meeting of the Missile Defense Advisory Committee.

All written statements shall be submitted to the Designated Federal Officer for the Missile Defense Advisory Committee, in the following formats: One hard copy with original signature and one electronic copy via e-mail (acceptable file formats: Adobe Acrobat

PDF, MS Word or MS PowerPoint), and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Designated Federal Officer is as stated above and can also be obtained from the GSA's Federal Advisory Committee Act Database—<https://www.fido.gov/facadata/public.asp>.

Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at the address listed at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the Missile Defense Advisory Committee until its next meeting. The Designated Federal Officer will review all timely submissions with the Missile Defense Advisory Committee Chairperson and ensure they are provided to all members of the Missile Defense Advisory Committee before the meeting that is the subject of this notice.

**FOR FURTHER INFORMATION CONTACT:** Mr. Al Bready, Designated Federal Officer at [mdac@mda.mil](mailto:mdac@mda.mil), phone/voice mail 703-695-6438, or mail at 7100 Defense Pentagon, Washington, DC 20301-7100.

Dated: February 4, 2008.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. E8-2494 Filed 2-8-08; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary of Defense

[DOD-2007-OS-0052]

#### Privacy Act of 1974; System of Records

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice to Alter a System of Records.

**SUMMARY:** The Office of the Secretary of Defense is altering a system of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective without further notice on March 12, 2008 unless comments are received which result in a contrary determination.

**ADDRESSES:** Send comments to the Office of the Secretary of Defense, Privacy Act Coordinator, Records Management Section, Washington

Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Ms. Cindy Allard at (703) 588-2386.

**SUPPLEMENTARY INFORMATION:** The Office of the Secretary of Defense systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed system report, as required by 5 U.S.C. 552a(r), of the Privacy Act of 1974, as amended, was submitted on February 4, 2008, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records About Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: February 5, 2008.

**L.M. Bynum,**

*Alternative OSD Federal Register Liaison Officer, Department of Defense.*

#### DMDC 02

##### SYSTEM NAME:

Defense Eligibility Records (October 1, 2007, 72 FR 55757).

##### CHANGES:

\* \* \* \* \*

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with "Active duty members and other Uniform Servicemembers, i.e., Department of Defense (DoD), Coast Guard, NOAA and USPHS; Reserve Members; National Guard members; State National Guard Employees; Presidential Appointees of all Federal Government agencies; DoD and Uniformed Service civil service employees, except Presidential appointees; Disabled American veterans; DoD and Uniformed Service contract employees; Former members (Reserve service, discharged RR or SR following notification of retirement eligibility); Medal of Honor recipients; Non-DoD civil service employees; U.S. Military Academy Students; Non-appropriated fund DoD and Uniformed Service employees (NAF); Non-Federal Agency Civilian associates, i.e., American Red Cross Emergency Services paid employees, Non-DoD contract employees; Reserve retirees not yet eligible for retired pay; Retired military members eligible for retired pay; Foreign Affiliates; DoD OCONUS

Hires; DoD Beneficiaries; Civilian Retirees; Dependents; Members of the general public treated for a medical emergency in a DoD Medical Facility; Emergency Contact Person; Care Givers; Prior Military Eligible for VA benefits".

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Delete "index fingerprints" at the end of the sentence and replace with "primary and secondary fingerprints".

\* \* \* \* \*

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Routine Use #5 Delete entry and replace with "To Federal agencies and/or their contractors, in response to their requests, for purposes of authenticating the identity of individuals who, incident to the conduct of official business, present the Common Access Card or similar identification as proof of identity to gain physical or logical access to government and contractor facilities, locations, networks, or systems".

Add a new routine use:

To the Office of Personnel Management:

To conduct computer matching programs regulated by the Privacy Act of 1974, as amended (5 U.S.C. 552a), for the purpose of: (1) Providing to OPM all reserve military members eligible for TRICARE Reserve Select (TRS) to be matched against the OPM Central Personnel Data File (OPM/GOVT-1) for the purpose of identifying those reserve military members who are also Federal civil service employees. This disclosure by OPM will provide the DoD with the FEHB eligibility and Federal employment information necessary to determine continuing eligibility for the TRS program. Only those reservists not eligible for FEHB are eligible for TRS. (Section 1076d of title 10)

\* \* \* \* \*

#### DMDC 02

##### SYSTEM NAME:

Defense Eligibility Records.

##### SYSTEM LOCATION:

EDS—Service Management Center, 1075 West Entrance Drive, Auburn Hills, MI 48326-2723.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty members and other Uniform Servicemembers, i.e., Department of Defense (DoD), Coast Guard, NOAA and USPHS; Reserve Members; National Guard members; State National Guard Employees; Presidential Appointees of all Federal