

**DEPARTMENT OF COMMERCE****National Institute of Standards and Technology**

[Docket Number 0911251416–91417–01]

**Precision Measurement Grants Program; Availability of Funds****AGENCY:** National Institute of Standards and Technology, Commerce.**ACTION:** Notice.

**SUMMARY:** The National Institute of Standards and Technology (NIST) announces that the Precision Measurement Grants Program is soliciting applications for financial assistance for Fiscal Year (FY) 2010. The Precision Measurement Grants Program is seeking proposals for significant research in the field of fundamental measurement or the determination of fundamental constants.

**DATES:** Abbreviated proposals must be received at the address listed below no later than 5 p.m. Eastern Standard Time on February 5, 2010. Proposals received after this deadline will be returned with no further consideration. Finalists will be selected by approximately March 26, 2010. Only those applicants who have been selected as Finalists will be allowed to submit full proposals to NIST. All full proposals, whether hard copy or electronic submission, must be received no later than 5 p.m. Eastern Daylight Time on May 7, 2010.

**ADDRESSES:** Hard copies of abbreviated proposals and full proposals must be submitted to: Dr. Peter J. Mohr; Manager, NIST Precision Measurement Grants Program; National Institute of Standards and Technology; 100 Bureau Drive, Stop 8420; Gaithersburg, MD 20899–8420. Electronic submissions of abbreviated proposals may be sent by e-mail to: [mohr@nist.gov](mailto:mohr@nist.gov). Abbreviated proposals will not be accepted through the Grants.gov Web site. Electronic submissions of full proposals may be sent by e-mail to [mohr@nist.gov](mailto:mohr@nist.gov) or uploaded to <http://www.Grants.gov>.

For electronic submissions of the abbreviated proposal, the SF–424 (R&R) must be a scanned signed form, and must be submitted by e-mail to [mohr@nist.gov](mailto:mohr@nist.gov). A fillable version of the SF–424 (R&R) form can be found at <http://physics.nist.gov/ResOpp/grants/2010/424.pdf>.

**FOR FURTHER INFORMATION CONTACT:** A paper copy of the FFO may be obtained by calling (301) 975–6328. Technical questions should be addressed to: Dr. Peter J. Mohr at the address listed in the Addresses section above, or at *Tel.:*

(301) 975–3217; *E-mail:* [mohr@nist.gov](mailto:mohr@nist.gov); Web site: <http://physics.nist.gov/pmg>. Grants Administration questions should be addressed to: Grants and Agreements Management Division; National Institute of Standards and Technology; 100 Bureau Drive, Stop 1650; Gaithersburg, MD 20899–1650; *Tel.:* (301) 975–6328. For assistance with using Grants.gov contact [support@grants.gov](mailto:support@grants.gov) or call 800–518–4726.

**SUPPLEMENTARY INFORMATION:**

*Electronic access:* Applicants are strongly encouraged to read the Federal Funding Opportunity (FFO) available at <http://www.grants.gov> for complete information about this program, all program requirements, and instructions for applying by paper or electronically.

**Authority:** The authority for the *Precision Measurement Grants Program* is as follows: As authorized by 15 U.S.C. 272(b) and (c), NIST conducts directly, and supports through grants, a basic and applied research program in the general area of fundamental measurement and the determination of fundamental constants of nature.

*Catalog of Federal Domestic Assistance Name and Number:* Measurement and Engineering Research and Standards—11.609.

*Program Description:* The National Institute of Standards and Technology (NIST) announces that the *Precision Measurement Grants Program* is soliciting applications for financial assistance for FY 2010. The *Precision Measurement Grants Program* is seeking proposals for significant research in the field of fundamental measurement or the determination of fundamental constants. Since 1970, NIST, as part of its research program, has awarded Precision Measurement Grants primarily to universities and colleges so that faculty may conduct significant research in the field of fundamental measurement or the determination of fundamental constants. NIST sponsors these grants and cooperative agreements primarily to encourage basic, measurement-related research in universities and colleges and other research laboratories and to foster contacts between NIST scientists and those faculty members of academic institutions and other researchers who are actively engaged in such work. The Precision Measurement Grants are also intended to make it possible for researchers to pursue new ideas for which other sources of support may be difficult to find. There is some latitude in research topics that will be considered under the *Precision Measurement Grants Program*. The key requirement is that the proposed project is consistent with NIST's ongoing work

in the field of basic measurement science.

*Funding Availability:* NIST anticipates spending \$100,000 this year for two new grants at \$50,000 each for the first year of the research projects. NIST issues this notice subject to the appropriations made available under the current continuing resolution, H.R. 2918, "Continuing Appropriations Resolution, 2010," Public Law 111–68, as amended by H.R. 2996, "Further Continuing Appropriations, 2010," Public Law 111–88. NIST anticipates making awards for the programs listed in this notice provided that funding for the programs is continued beyond December 18, 2009, the expiration of the current continuing resolution. In no event will NIST or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of agency priorities. Publication of this announcement does not oblige NIST or the Department of Commerce to award any specific project or to obligate any available funds.

Award start dates for new grants are expected to be October 1, 2010. Applicants should propose multi-year projects for up to three years at no more than \$50,000 per year. NIST anticipates spending \$100,000 this year for two new grants at \$50,000 each for the first year of the research projects. NIST may award both, one, or neither of these new awards. Second and third year funding will be at the discretion of NIST, based on satisfactory performance, continuing relevance to program objectives, and the availability of funds. NIST plans to fund the awards as grants. If collaboration by NIST scientists in the scope of work is appropriate for any award, a cooperative agreement will be issued instead.

*Cost Share Requirements:* The Precision Measurement Grants Program does not require any matching funds.

*Eligibility:* Eligible applicants are institutions of higher education; hospitals; non-profit organizations; commercial organizations; State, local and Indian Tribal governments; foreign governments; organizations under the jurisdiction of foreign governments; international organizations; and Federal agencies with appropriate legal authority.

**Application Requirements**

In accordance with the requirements set forth in the Content and Form of Application Submission section of the FFO, all applicants must submit an abbreviated proposal (one original and two signed copies), containing a completed SF–424 (R&R) form, a description of the proposed project,

including sufficient information to address the evaluation criteria, with a total length of no more than five (5) double spaced pages (excluding SF-424 (R&R)), to one of the addresses given above in the **ADDRESSES** section.

Only those applicants who have been selected as finalist will be invited to submit full proposals, containing a concise title and a 100–200 word abstract; an explanation of the research project itself, its importance, its relationship to NIST's interest and its feasibility within the time and budget constraints; a curriculum vita; a list of the principal investigator's most recent and relevant publications; a budget and detailed budget narrative for each year of the proposal in \$50,000 increments up to three years; a budget form for each year; an indication if supported by other sources of funding and make clear what NIST funds will enable the applicant to achieve that could not be achieved with the other sources of funds; a list of all current and pending proposals for similar research, including the amounts requested and the source that was or is considering it; and completed forms SF-424, SF-424A, SF-424B, SF-LLL and CD-511. The full proposal may not exceed a maximum total of 10 double-spaced pages, exclusive of the budget sheet and required Standard Forms and Department of Commerce Forms.

Although applicants submitting paper applications are not required to submit more than three copies of the proposal, the normal review process for the Precision Measurement Grants Program utilizes ten (10) copies. Applicants are encouraged to submit sufficient proposal copies for the full review process if they wish all reviewers to receive color, unusually sized (not 8.5" x 11"), or otherwise unusual materials submitted as part of the proposal. Only three copies of the required Standard and Department forms are needed from finalists.

**Evaluation Criteria:** The evaluation criteria to be used in evaluating the abbreviated proposals and full proposals are:

1. The importance of the proposed research—Does it have the potential of answering some currently pressing question or of opening up a whole new area of activity?

2. The relationship of the proposed research to NIST's ongoing work—Will it support one of NIST's current efforts to develop a new or improved fundamental measurement method or physical standard, test the basic laws of physics, or provide an improved value for a fundamental constant?

3. The feasibility of the research and the potential impact of the grant—Is it

likely that significant progress can be made in a three year time period with the funds and personnel available and that the funding will enable work that would otherwise not be done with existing or potential funding?

4. The qualifications of the applicant—Does the educational and employment background and the quality of the research, based on recent publications, of the applicant indicate that there is a high probability that the proposed research will be carried out successfully?

Each of these factors is given equal weight in the evaluation process.

**Review and Selection Process:** All abbreviated proposals and full proposals received in response to this announcement will be reviewed to determine whether or not they are complete and responsive to the scope of the stated objectives for each program. Incomplete or non-responsive abbreviated proposals and full proposals will not be reviewed for technical merit. The Program will retain one copy of each non-responsive abbreviated proposal and full proposal for three years for record keeping purposes. The remaining copies will be destroyed.

Eight independent, objective individuals, at least half of whom are NIST employees, and who are knowledgeable about the scientific areas that the program addresses will conduct a technical review of each abbreviated proposal, based on the evaluation criteria described in the Evaluation Criteria section for this program. Each reviewer will evaluate and rank the proposals. The proposals will then be ranked based on the average of the reviewers' rankings. If non-Federal reviewers are used, the reviewers may discuss the proposals with each other, but the ranking will be determined on an individual basis, not as a consensus.

The Chief of the Atomic Physics Division of the Physics Laboratory, the selecting official, will then select approximately four to eight finalists. In selecting finalists, the selecting official will take into consideration the results of the reviewers' evaluations, including rank, and relevance to the Program Description described in this Notice and the FFO. Applicants not selected as finalists will be notified in writing.

Only those applicants who have been selected as a finalist will be invited to submit a full proposal. The same independent reviewers that reviewed the abbreviated proposals will then evaluate the full proposals based on the same evaluation criteria, and the proposals will be ranked as previously described. In selecting proposals that will be recommended for funding, the

same selecting official will take into consideration the results of the reviewers' evaluations, including rank and relevance to the program objectives described in the Program Description section of this Notice.

The final approval of selected applications and award of grants will be made by the NIST Grants Officer based on compliance with application requirements as published in this Notice and the FFO, compliance with applicable legal and regulatory requirements, compliance with Federal policies that best further the objectives of the Department of Commerce, and whether the recommended applicants appear to be responsible.

Applicants may be asked to modify objectives, work plans, or budgets and provide supplemental information required by the agency prior to award.

The decision of the Grants Officer is final.

**The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements:** The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements, which are contained in the **Federal Register** Notice of February 11, 2008 (73 FR 7696), are applicable to this notice. On the form SF-424 items 8.b. and 8.c., the applicant's 9-digit Employer/Taxpayer Identification Number (EIN/TIN) and 9-digit Dun and Bradstreet Data Universal Numbering System (DUNS) number must be consistent with the information on the Central Contractor Registration (CCR) (<http://www.ccr.gov>) and Automated Standard Application for Payment System (ASAP). For complex organizations with multiple EIN/TIN and DUNS numbers, the EIN/TIN and DUNS number MUST be the numbers for the applying organization. Organizations that provide incorrect/inconsistent EIN/TIN and DUNS numbers may experience significant delays in receiving funds if their proposal is selected for funding. Please confirm that the EIN/TIN and DUNS number are consistent with the information on the CCR and ASAP.

**Collaborations with NIST Employees:** All applications should include a description of any work proposed to be performed by an entity other than the applicant, and the cost of such work should ordinarily be included in the budget.

If an applicant proposes collaboration with NIST, the statement of work should include a statement of this intention, a description of the collaboration, and prominently identify the NIST employee(s) involved, if known. Any collaboration by a NIST

employee must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the approval of the proposed collaboration. Any unapproved collaboration will be stricken from the proposal prior to the merit review.

**Use of NIST Intellectual Property:** If the applicant anticipates using any NIST-owned intellectual property to carry out the work proposed, the applicant should identify such intellectual property. This information will be used to ensure that no NIST employee involved in the development of the intellectual property will participate in the review process for that competition. In addition, if the applicant intends to use NIST-owned intellectual property, the applicant must comply with all statutes and regulations governing the licensing of Federal government patents and inventions, described at 35 U.S.C. 200–212, 37 CFR Part 401, 15 CFR 14.36, and in Section B.21 of the Department of Commerce Pre-Award Notification Requirements 73 FR 7696 (February 11, 2008). Questions about these requirements may be directed to the Office of the Chief Counsel for NIST, 301–975–2803.

Any use of NIST-owned intellectual property by a proposer is at the sole discretion of NIST and will be negotiated on a case-by-case basis if a project is deemed meritorious. The applicant should indicate within the statement of work whether it already has a license to use such intellectual property or whether it intends to seek one.

If any inventions made in whole or in part by a NIST employee arise in the course of an award made pursuant to this notice, the United States government may retain its ownership rights in any such invention. Licensing or other disposition of NIST's rights in such inventions will be determined solely by NIST, and include the possibility of NIST putting the intellectual property into the public domain.

**Collaborations Making Use of Federal Facilities:** All applications should include a description of any work proposed to be performed using Federal facilities. If an applicant proposes use of NIST facilities, the statement of work should include a statement of this intention and a description of the facilities. Any use of NIST facilities must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the availability of the facilities

and approval of the proposed usage. Any unapproved facility use will be stricken from the proposal prior to the merit review. Examples of some facilities that may be available for collaborations are listed on the NIST Technology Services Web site, <http://ts.nist.gov/>.

**Paperwork Reduction Act:** The standard forms in the application kit involve a collection of information subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, 424 (R&R), SF–LLL, and CD–346 have been approved by OMB under the respective Control Numbers 0348–0043, 0348–0044, 0348–0040, 4040–0001, 0348–0046, and 0605–0001.

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.

**Research Projects Involving Human Subjects, Human Tissue, Data or Recordings Involving Human Subjects:** Any proposal that includes research involving human subjects, human tissue, data or recordings involving human subjects must meet the requirements of the Common Rule for the Protection of Human Subjects, codified for the Department of Commerce at 15 CFR part 27. In addition, any proposal that includes research on these topics must be in compliance with any statutory requirements imposed upon the Department of Health and Human Services (DHHS) and other Federal agencies regarding these topics, all regulatory policies and guidance adopted by DHHS, the Food and Drug Administration, and other Federal agencies on these topics, and all Presidential statements of policy on these topics.

NIST will accept the submission of human subjects protocols that have been approved by Institutional Review Boards (IRBs) possessing a current registration filed with DHHS and to be performed by institutions possessing a current registration filed with DHHS and to be performed by institutions possessing a current, valid Federal-wide Assurance (FWA) from DHHS. NIST will not issue a single project assurance (SPA) for any IRB reviewing any human subjects protocol proposed to NIST.

President Obama has issued Executive Order No. 13,505 (74 FR. 10667, March 9, 2009), revoking previous Executive Orders and Presidential statements regarding the use of human embryonic

stem cells in research. On July 30, 2009, President Obama issued a memorandum directing that agencies that support and conduct stem cell research adopt the “National Institutes of Health Guidelines for Human Stem Cell Research” (NIH Guidelines), which became effective on July 7, 2009, “to the fullest extent practicable in light of legal authorities and obligations.” On September 21, 2009, the Department of Commerce submitted to the Office of Management and Budget a statement of compliance with the NIH Guidelines. In accordance with the President's memorandum, the NIH Guidelines, and the Department of Commerce statement of compliance, NIST will support and conduct research using only human embryonic stem cell lines that have been approved by NIH in accordance with the NIH Guidelines and will review such research in accordance with the Common Rule and NIST implementing procedures, as appropriate. NIST will not support or conduct any type of research that the NIH Guidelines prohibit NIH from funding. NIST will follow any additional policies or guidance issued by the current Administration on this topic.

**Research Projects Involving Vertebrate Animals:** Any proposal that includes research involving vertebrate animals must be in compliance with the National Research Council's “Guide for the Care and Use of Laboratory Animals” which can be obtained from National Academy Press, 2101 Constitution Avenue, NW., Washington, DC 20055. In addition, such proposals must meet the requirements of the Animal Welfare Act (7 U.S.C. 2131 *et seq.*), 9 CFR Parts 1, 2, and 3, and if appropriate, 21 CFR Part 58. These regulations do not apply to proposed research using pre-existing images of animals or to research plans that do not include live animals that are being cared for, euthanized, or used by the project participants to accomplish research goals, teaching, or testing. These regulations also do not apply to obtaining animal materials from commercial processors of animal products or to animal cell lines or tissues from tissue banks.

**Limitation of Liability:** Funding for the programs listed in this notice is contingent upon the availability of Fiscal Year 2010 appropriations. The Department of Commerce and NIST will not be held responsible for application preparation costs. Publication of this announcement does not oblige NIST or the Department of Commerce to award any specific project or to obligate any available funds.

*Executive Order 12866:* This funding notice was determined to be not significant for purposes of Executive Order 12866.

*Executive Order 13132 (Federalism):* It has been determined that this notice does not contain policies with federalism implications as that term is defined in Executive Order 13132.

*Executive Order 12372:* Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

*Administrative Procedure Act/Regulatory Flexibility Act:* Notice and comment are not required under the Administrative Procedure Act (5 U.S.C. 553) or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)). Because notice and comment are not required under 5 U.S.C. 553, or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

Dated: December 22, 2009.

**Marc G. Stanley,**

*Acting Deputy Director.*

[FR Doc. E9-30658 Filed 12-24-09; 8:45 am]

BILLING CODE 3510-13-P

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Announcing a Meeting of the Information Security and Privacy Advisory Board

**AGENCY:** National Institute of Standards and Technology.

**ACTION:** Notice.

**SUMMARY:** The Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, January 20, 2010, from 1 p.m. until 5 p.m. All sessions will be open to the public.

**DATES:** The meeting will be held on Wednesday, January 20, 2010, from 1 p.m. until 5 p.m.

**ADDRESSES:** The meeting will take place at the National Institute of Standards and Technology (NIST), 100 Bureau Drive, Gaithersburg, MD 20899, Building 101, Room LR-B. Please see admittance instructions in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Ms. Pauline Bowen, ISPAB Secretariat, Information Technology Laboratory,

National Institute of Standards and Technology, 100 Bureau Drive, Stop 8930, Gaithersburg, MD 20899-8930, telephone: (301) 975-2938.

#### SUPPLEMENTARY INFORMATION:

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, January 20, 2010, from 1 p.m. until 5 p.m. All sessions will be open to the public. The ISPAB was established by the Computer Security Act of 1987 (Pub. L. 100-235) and amended by the Federal Information Security Management Act of 2002 (Pub. L. 107-347) to advise the Secretary of Commerce and the Director of NIST on security and privacy issues pertaining to federal computer systems. Details regarding the ISPAB's activities are available at <http://csrc.nist.gov/groups/SMA/ispab/index.html>.

The agenda is expected to include the following items:

- Cloud Computing and the U.S. Government Trusted Internet Connection (TIC) Program working together to provide service and security.
- Board discussion on Certification and Accreditation of federal information systems, current models and discussion on recommending using an initial and continuous monitoring model.
- Applicability of current authentication models for new federal priorities and recommendations for expanded research in identification and authentication.
- Board discussion and recommendations on the Office of Management and Budget proposed security metrics for federal agencies.

Note that agenda items may change without notice because of possible unexpected schedule conflicts of presenters. The final agenda will be posted on the Web site indicated above.

**Public Participation:** The ISPAB agenda will include a period of time, not to exceed thirty minutes, for oral comments from the public. Each speaker will be limited to five minutes. Members of the public who are interested in speaking are asked to contact the ISPAB Secretariat at the telephone number indicated above. The Board is interested in public comments on the agenda as a whole with specific interest in the following topics due to their impact on security and privacy as new technologies, potential areas of success for the U.S. Government if conducted properly and areas that have a current significant relevance to the Federal Government. The Board is

specifically interested in comments concerning the following subjects:

- Cloud Computing and the U.S. Government Trusted Internet Connection (TIC) Program
- U.S. Government Acquisitions Role in Security
- Research and Development for Secure Software
- Security Measurements and Metrics

In addition, written statements are invited and may be submitted to the ISPAB at any time. Written statements should be directed to the ISPAB Secretariat, Information Technology Laboratory, 100 Bureau Drive, Stop 8930, National Institute of Standards and Technology, Gaithersburg, MD 20899-8930. Approximately 15 seats will be available for the public and media.

All visitors to the NIST site will have to pre-register to be admitted. Please submit your name, nationality and e-mail address to Ms. Pauline Bowen no later than c.o.b. Monday, January 18, 2010 for visitor admittance. Non-U.S. Citizens are welcome to attend with the public but additional information will be required to be granted access to NIST and the meeting location. Ms. Bowen's e-mail address is [Pauline.bowen@nist.gov](mailto:Pauline.bowen@nist.gov) and her phone number is (301) 975-2938.

Dated: December 22, 2009.

**Marc G. Stanley,**

*Acting Deputy Director.*

[FR Doc. E9-30655 Filed 12-24-09; 8:45 am]

BILLING CODE 3510-13-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XT47

#### New England Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Habitat/MPA/Ecosystem Committee, in January, 2010, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** This meeting will be held on Wednesday, January 13, 2010, at 9:30 a.m.