

(b) Past Performance. Unsatisfactory performance under prior Federal awards may result in a proposal not being considered for funding.

(c) Pre-award Activities. If proposers incur any costs prior to an award being made, they do solely at their own risk of not being reimbursed by the Government. Only written authorization from the NIST Grants Officer will obligate NIST to cover pre-award costs.

(d) No Obligation for Future Funding. If a proposal is selected for funding, NIST has no obligation to provide any additional future 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 NIST.

(e) Delinquent Federal Debts. No award of Federal funds shall be made to a proposer or recipient who has an outstanding delinquent Federal debt until either the delinquent account is paid in full, a negotiated repayment schedule is established and at least one payment is received, or other arrangements satisfactory to NIST are made.

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

(g) Primary Applicant Certification. All primary proposers (including all joint venture participants) must submit a completed form CD-511, "Certifications Regarding Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying," and the following explanation is hereby provided:

(1) 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;

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

(3) Anti-Lobbying. Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitations 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

(4) Anti-Lobbying Disclosures. Any proposer 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.

(h) Lower Tier Certification. Recipients shall require proposers/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 Form SF-LLL, "Disclosure of Lobbying Activities." Although the CD-512 is intended for the use of primary recipients and should not be transmitted to NIST, the SF-LLL submitted by any tier recipient or subrecipient should be forwarded in accordance with the instructions contained in the award document.

(i) False Statements. A false statement on any application for funding under ATP may be 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.

(j) Intergovernmental Review. The ATP does not involve the mandatory payment of any matching funds from state or local government and does not affect directly any state or local government. Accordingly, the Department of Commerce has determined that Executive Order 12372, "Intergovernmental Review of Federal Programs" is not applicable to this program.

(k) American-Made Equipment and Products. Proposers are hereby notified that they are encouraged, to the greatest extent practicable, to purchase American-made equipment and products with the funding provided under this program in accordance with Congressional intent.

(l) Paperwork Reduction Act. This notice contains collection of information requirements subject to the Paperwork Reduction Act (PRA), which have been approved by the Office of Management and Budget (OMB Control Nos. 0693-0009 and 0348-0046).

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 PRA, unless that collection of information displays a currently valid OMB Control No.

(m) If a proposer's proposal is judged to be of high enough quality to be invited in for an oral review, ATP reserves the right to submit a list of questions to the proposer that must be addressed at the oral review.

(n) There are certain types of projects that ATP will not fund because they are inconsistent with the ATP mission.

These include:

(1) Straightforward improvements of existing products of product development.

(2) Projects that are predominately basic research.

(3) Pre-commercial scale demonstration projects where the emphasis is on demonstration that some technology works on a large scale rather than on R&D.

(4) Projects involving military weapons R&D or R&D that is of interest only to some mission agency rather than to the commercial marketplace.

(5) Projects that ATP believes would likely be completed with or without ATP funds in the same time frame or nearly the same time frame.

(o) Certain costs that may be allowed in Federal financial assistance programs are not eligible for funding under ATP awards. Section E of the Proposal Preparation Kit lists these costs.

Dated: December 9, 1997.

**Elaine Buntin-Mines,**

*Director, Program Office.*

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BILLING CODE 3510-13-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Small-craft Facility Questionnaire

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before February 13, 1998.

**ADDRESSES:** Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Lynn Preston, N/CS26, Station 7350, 1315 East-West Highway, Silver Spring, MD 20910-3282 (301-713-2735, ext. 123).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

NOAA's National Ocean Service produces nautical charts to ensure safe navigation. Small-craft charts are designed for recreational boaters and include information on local marina facilities and the services they provide (fuel, repairs, etc.). NOAA must collect information to update the charts.

**II. Method of Collection**

When a specific chart is to be updated all currently listed marinas are sent a form to submit additions or corrections. Forms are also made available at boat shows for new marinas, which can also request a form from NOAA directly.

**III. Data**

*OMB Number:* 0648-0021.

*Form Number:* NOAA Form 77-1.

*Type of Review:* Regular Submission.

*Affected Public:* Businesses and other for-profit organizations (small-craft facilities).

*Estimated Number of Respondents:* 1,600.

*Estimated Time Per Response:* 8 minutes.

*Estimated Total Annual Burden Hours:* 213.

*Estimated Total Annual Cost to Public:* \$0.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the

use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 9, 1997.

**Linda Engelmeier,**

*Departmental Forms Clearance Officer, Office of Management and Organization.*

(FR Doc. 97-32687 Filed 12-12-97; 8:45 a.m.)

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**Northeast Region Federal Fisheries Permit Family of Forms**

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before February 13, 1998.

**ADDRESSES:** Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Paul H. Jones, NMFS, 1 Blackburn Drive, Gloucester, MA 01930, (978) 281-9273.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

Under Amendment 5 and Amendment 7 to the Northeast Multispecies Fishery Management Plan (FMP) and by Amendment 4 Sea Scallop FMP, VMS (Vessel Monitoring System) monitoring is considered to be one of the major tools for the monitoring and enforcement of the days-at-sea (DAS) management system. Certain categories of limited access scallop and multispecies vessels must use a VMS

unit while fishing under the DAS program when VMS vendors are certified by the National Marine Fisheries Service (NMFS) for the purposes of monitoring DAS under the multispecies and scallop regulations. This submission discusses VMS use on scallop and multispecies vessels to meet OMB's requirement for a cost study prior to actually making the VMS requirement mandatory.

**II. Method of Collection**

Full-time and part-time scallop limited access and multispecies individual DAS limited access permit holders will be required to submit to NMFS proof of installation of VMS unit by a NMFS certified VMS vendor on the vessel.

**III. Data**

*OMB Number:* 0648-0202.

*Form Number:* None.

*Type of Review:* Regular Submission.

*Affected Public:* Individuals, businesses or other for-profit (fishermen).

*Estimated Number of Respondents:* 442.

*Estimated Time Per Response:* 0.03.

*Estimated Total Annual Burden Hours:* 14.73.

*Estimated Total Annual Cost to Public:* \$221.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 9, 1997.

**Linda Engelmeier,**

*Departmental Forms Clearance Officer, Office of Management and Organization.*

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