

Center, 308 East 4th Street, Port Angeles, WA;

(2) June 2, 2008, 6:30 p.m.–9:30 p.m., Lake Union Park Armory-Great Hall, Seattle, 860 Terry Avenue North, Washington; and

(3) June 5, 2008, 10 a.m.–1 p.m., NOAA Auditorium, 1301 East-West Highway, Silver Spring, Maryland.

### Background

On May 9, 2008, the U.S. Environmental Protection Agency announced the availability of NMFS' DEIS concerning the Makah Indian Tribe's February 2005 request to resume limited hunting of ENP gray whales in the coastal portion of the Tribe's usual and accustomed fishing grounds, off the coast of Washington State, for ceremonial and subsistence purposes. The Tribe's proposed action stems from the 1855 Treaty of Neah Bay, which expressly secures the Makah Tribe's right to hunt whales. To exercise that right, the Tribe is seeking authorization from NMFS under the MMPA and the Whaling Convention Act. The release of this DEIS is one of several steps NMFS will undertake to evaluate the Tribe's request.

The DEIS, prepared pursuant to the National Environmental Policy Act, considers various alternatives to the Tribe's proposed action. To develop the full range of action alternatives—five in total—we considered the principal components associated with a hunt, including: the time when whale hunting would occur; the area where whale hunting would occur; the annual and five-year limits on the number of whales harvested, struck, and struck and lost; cessation of whale hunting if a predetermined number of identified whales (i.e., included in a photographic catalog of whales from the Pacific Coast Feeding Aggregation area) were harvested; and the method of hunting. We developed these alternatives with input from NMFS staff, the applicant, the cooperating agency (i.e., Bureau of Indian Affairs), and oral and written comments from the public. This DEIS addresses a number of resources identified for review during both internal and public scoping, including: water quality, marine habitat and species, ENP gray whales, other wildlife species, economics, environmental justice, social environment, cultural resources, ceremonial and subsistence resources, noise, aesthetics, transportation, public services, public safety, and human health.

The DEIS provides an important opportunity for the public to formally comment on the Tribe's proposal and the various alternatives. These

comments, in conjunction with considerations described in the DEIS, will provide key information to assist NMFS with its final decision on the Tribe's request.

### Access to Government Building

For access to a Federal government building, the Department of Commerce Office of Security at NOAA has advised that all attendees must register for the meeting and must have a valid government-issued identification (e.g., driver's license or passport) with a photograph. Therefore, prospective attendees for the public meeting in the NOAA Auditorium, Silver Spring, MD, should submit their first and last names and affiliation, if appropriate, by telephone or e-mail to Tom Eagle (See **FOR FURTHER INFORMATION CONTACT**) by 4 p.m. EDT on June 2, 2008.

### Reasonable Accommodation

Persons needing reasonable accommodations to attend and participate in the public meetings should contact Steve Stone (see **FOR FURTHER INFORMATION CONTACT**). To allow sufficient time to process requests, please call at least 5 business days prior to the relevant meeting(s).

Dated: May 5, 2008.

**Barbara A. Schroeder,**

*Acting Chief, Marine Mammal and Sea Turtle Conservation Division, National Marine Fisheries Service.*

[FR Doc. E8–10377 Filed 5–8–08; 8:45 am]

**BILLING CODE 3510–22–S**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Availability for the Recirculated Draft Environmental Impact Statement/Environmental Impact Report for the Berths 97–109 [China Shipping] Container Terminal Project, Los Angeles County, CA

**AGENCY:** Department of the Army—U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of Availability.

**SUMMARY:** The U.S. Army Corps of Engineers, Los Angeles District (Regulatory Division), in coordination with the Port of Los Angeles, has completed and is re-circulating the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Berths 97–109 [China Shipping] Container Terminal Project. The Port of Los Angeles requires authorization pursuant to Section 404 of the Clean Water Act and Section 10 of the River

and Harbor Act to construct new wharves at Berths 100 and 102; dredge (41,000 cubic yards [yd<sup>3</sup>] of sediments) and dispose of that material at the upland Port Anchorage Road Disposal Site; develop backlands, including construction of terminal buildings, on 142 acres; install 10 new A-frame cranes at Berths 100 and 102; construct transportation infrastructure improvements in the vicinity of the existing terminal entrance (shared by the Berths 97–109 terminal and the Berths 121–131 terminal); construct two new bridge structures connecting Berths 97–109 terminal and Berths 121–131 terminal across the Southwest Slip; and relocate the Catalina Terminal to south of the Vincent Thomas Bridge at Berth 95.

#### **FOR FURTHER INFORMATION CONTACT:**

Questions or comments concerning the recirculated Draft EIS/EIR should be directed to Dr. Spencer D. MacNeil, North Coast Branch, Regulatory Division, U.S. Army Corps of Engineers, P.O. Box 532711, Los Angeles, CA 90053–2325, (805) 585–2152.

**SUPPLEMENTARY INFORMATION:** The Port of Los Angeles and U.S. Army Corps of Engineers originally released the Berths 97–109 [China Shipping] Container Terminal Project Draft EIS/EIR in August 2006. Based on comments received on the Draft EIS/EIR, the Port of Los Angeles and U.S. Army Corps of Engineers decided to re-circulate the document. The April 2008 Draft EIS/EIR is a full recirculation of the original Draft EIS/EIR and addresses comments received on the August 2006 document. The Port of Los Angeles and U.S. Army Corps of Engineers will jointly hold a public meeting on June 5, 2008 at Banning's Landing Community Center in Wilmington, California, to receive public comments and assess public concerns regarding this recirculated Draft EIS/EIR and proposed terminal project. Written comments will be accepted until the close of the public review period on June 30, 2008.

**Mark Durham,**

*Acting Chief, Regulatory Division, Los Angeles District.*

[FR Doc. E8–10280 Filed 5–7–08; 8:45 am]

**BILLING CODE 3710–KF–P**

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The IC Clearance Official, Regulatory Information Management Services, Office of Management invites

comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 9, 2008.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, Washington, DC 20503. Commenters are encouraged to submit responses electronically by e-mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or via fax to (202) 395-6974. Commenters should include the following subject line in their response: "Comment: [insert OMB number], [insert abbreviated collection name, e.g., "Upward Bound Evaluation"]". Persons submitting comments electronically should not submit paper copies.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: May 5, 2008.

**Angela C. Arrington,**  
IC Clearance Official, Regulatory Information Management Services, Office of Management.

#### Office of Special Education and Rehabilitative Services

*Type of Review:* New.

*Title:* Special Education Individual Reporting on Regulatory Compliance Related to the Personnel Development

Program's Service Obligation and the Government Performance and Results Act (GPRA).

*Frequency:* On Occasion; Biennially.

*Affected Public:* Individuals or household; Businesses or other for-profit; Not-for-profit institutions; Federal Government; State, Local, or Tribal Gov't; SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 15,000.

*Burden Hours:* 6,688.

*Abstract:* The data collection under this request is governed by sections 304.23-304.30 of the June 5, 2006, regulations that implement section 662 (h) of the IDEA Amendments of 2004, which require that individuals who receive a scholarship through the Personnel Development Program funded under the Act subsequently provide special education and related services to children with disabilities for a period of two years for every year for which assistance was received. Scholarship recipients who do not satisfy the requirements of the regulations must repay all or part of the cost of assistance, in accordance with regulations issued by the Secretary. These regulations implement requirements governing, among other things, the service obligation for scholars, reporting requirements by grantees, and repayment of scholarships by scholars. In order for the federal government to ensure that the goals of the program are achieved, certain data collection, recordkeeping, and documentation are necessary. In addition, this data collection is governed by the Government Performance and Results Act (GPRA). GPRA requires Federal agencies to establish performance measures for all programs, and the Office of Special Education Programs (OSEP) has established performance measures for the Personnel Development Program. Data collection from scholars who have received scholarships under the Personnel Development Program is necessary to evaluate these measures.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3572. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the

complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E8-10447 Filed 5-8-08; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; Computer Matching Program

**AGENCY:** Department of Education.

**ACTION:** Notice—Computer Matching between the Department of Education and the Department of Justice.

**SUMMARY:** Section 421(a)(1) of the Controlled Substances Act (21 U.S.C. 862(a)(1)) includes provisions regarding the judicial denial of Federal benefits. Section 421 of the Controlled Substances Act, which was originally enacted as section 5301, of the Anti-Drug Abuse Act of 1988, was amended and redesignated as section 421 of the Controlled Substances Act by section 1002(d) of the Crime Control Act of 1990, Public Law 101-647 (hereinafter referred to as "section 5301") authorizes Federal and State judges to deny certain Federal benefits (including student financial assistance under Title IV of the Higher Education Act of 1965, as amended (HEA)) to individuals convicted of drug trafficking or possession.

In order to ensure that Title IV, HEA student financial assistance is not awarded to individuals subject to denial of benefits under court orders issued pursuant to section 5301, the Department of Justice and the Department of Education implemented a computer matching program. The 18-month computer matching agreement (CMA) was recertified for an additional 12 months on June 18, 2007. The 12-month recertification of the CMA will automatically expire on June 18, 2008.

The Department of Education must continue to obtain from the Department of Justice identifying information regarding individuals who are the subject of section 5301 denial of benefits court orders. The purpose of this notice is to announce the continued operation of the computer matching program and to provide certain required information concerning the computer matching program.