

authorization to conduct scientific research on smalltooth sawfish (*Pristis pectinata*).

**DATES:** Written or telefaxed comments must be received on or before February 25, 2005.

**ADDRESSES:** The application 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 Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

Written comments or requests for a public hearing on this modification 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 the 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 email 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. 1475.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Jefferies or Patrick Opay, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

A notice of receipt of an application from the FFWCC to conduct scientific research on smalltooth sawfish was published on May 21, 2004 (69 FR 29274). The FFWCC sought authorization to sample and track smalltooth sawfish throughout Florida coastal waters. Annually, up to 200 fish were to be captured via seines, hook and line, and gill nets, measured, weighed, PIT and rototagged, tissue sampled, and the fish subsequently released. Additionally, a subset of 50 fish annually were to also receive acoustic

transmitters and a subset of 25 fish annually were to also receive satellite transmitters. The permit has not been issued yet but the FFWCC has amended its application to include an annual take of sea turtles. Specifically, the FFWCC is seeking authorization to capture, measure, and release three loggerhead (*Caretta caretta*), three Kemp's ridley (*Lepidochelys kempii*), three green (*Chelonia mydas*), two hawksbill (*Eretmochelys imbricata*) and two leatherback (*Dermochelys coriacea*) turtles annually.

Dated: January 18, 2005.

**Stephen L. Leathery,**

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

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## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

[Docket No. 050118012-5012-01]

#### Public Telecommunications Facilities Program: Closing Date

**AGENCY:** National Telecommunications and Information Administration (NTIA), Commerce.

**ACTION:** Notice of availability of funds.

**SUMMARY:** Pursuant to the Consolidated Appropriations Act, 2005, the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce, announces the solicitation of applications for planning and construction grants for public telecommunications facilities under the Public Telecommunications Facilities Program (PTFP). The PTFP assists, through matching grants, in the planning and construction of public telecommunications facilities in order to: (1) Extend delivery of services to as many citizens as possible by the most cost-effective means, including use of broadcast and non-broadcast technologies; (2) increase public telecommunications services and facilities available to, operated by, and controlled by minorities and women; (3) strengthen the capability of existing public television and radio stations to provide public telecommunications services to the public.

**DATES:** Applications must be received prior to 6 p.m. eastern standard time (Closing Time), Tuesday, March 1, 2005 (Closing Date). Applications submitted by facsimile or electronic means are not acceptable. If an application is received

after the Closing Date due to (1) carrier error, when the carrier accepted the package with a guarantee for delivery by the Closing Date and Closing Time, (2) significant weather delays or natural disasters, or (3) delays due to national security issues, NTIA will, upon receipt of proper documentation, consider the application as having been received by the deadline. NTIA will not accept applications posted on the Closing Date or later and received after this deadline.

**ADDRESSES:** To obtain a printed application package, submit completed applications, or send any other correspondence, write to: NTIA/PTFP, Room H-4625, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230. Application materials may be obtained electronically via the Internet (<http://www.ntia.doc.gov/ptfp>).

**FOR FURTHER INFORMATION CONTACT:** William Cooperman, Director, Public Broadcasting Division, telephone: (202) 482-5802; fax: (202) 482-2156. Information about the PTFP can also be obtained electronically via the Internet (<http://www.ntia.doc.gov/ptfp>).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

The full funding opportunity announcement for the PTFP FY 2005 grant cycle is available through <http://www.Grants.gov> or by contacting the PTFP office at the address noted above.

##### Funding Availability

The Congress has appropriated \$19.8 million for FY 2005 PTFP awards. For FY 2004, NTIA awarded \$20.8 million in funds to 143 projects, including 74 radio awards, 52 television awards and 17 nonbroadcast awards. The radio awards ranged from \$4,900 to \$258,026. The television awards ranged from \$22,000 to \$1,853,701. The nonbroadcast awards ranged from \$15,617 to \$493,130.

##### Statutory and Regulatory Authority

The Public Telecommunications Facilities Program is authorized by the Communications Act of 1934, as amended, 47 U.S.C. 390-393, 397-399(b). The PTFP operates pursuant to rules (1996 Rules) which were published on November 8, 1996 (61 FR 57966). Copies of the 1996 Rules (15 CFR part 2301) are posted on the NTIA Internet site at <http://www.ntia.doc.gov/Rules/currentrules.htm> and NTIA will make printed copies available to applicants upon request.

##### Supplemental Policies

The following supplemental policies will also be in effect:

(A) Applicants may file emergency applications at any time.

(B) Applicants may file requests for Federal Communications Commission (FCC) authorizations with the FCC after the PTFP Closing Date. Grant applicants for Ku-band satellite uplinks may submit FCC applications after a PTFP award is made. NTIA may accept FCC authorizations that are in the name of an organization other than the PTFP applicant.

(C) PTFP applicants are not required to submit copies of their PTFP applications to the FCC, nor are they required to submit copies of the FCC transmittal cover letters as part of their PTFP applications. PTFP applicants for distance learning projects must notify the state telecommunications agencies in the states in which they are located but are not required to notify every state telecommunications agency in a potential service area.

(D) For digital television conversion projects, NTIA has created two new Subpriorities in the Broadcast Other category and will permit purchase of eligible equipment with local match funds after July 1, 1999.

(E) For digital radio conversion projects, NTIA has created a new Subpriority in the Broadcast Other category.

*Catalog of Domestic Federal Assistance: 11.550, Public Telecommunications Facilities Program.*

### Eligibility

To apply for and receive a PTFP Construction Grant or Planning Grant, an applicant must be: (a) A public or noncommercial educational broadcast station; (b) a noncommercial telecommunications entity; (c) a system of public telecommunications entities; (d) a non-profit foundation, corporation, institution, or association organized primarily for educational or cultural purposes; or (e) a state, local, or Indian tribal government (or agency thereof), or a political or special purpose subdivision of a state.

### Evaluation and Selection Process

See 15 CFR 2301.16 for a description of the Technical Evaluation and 15 CFR 2301.18 for the Selection Process.

### Evaluation Criteria

See 15 CFR 2301.17 for a full description of the Evaluation Criteria. The six evaluation criteria are (1) Applicant Qualifications, (2) Financial Qualifications, (3) Project Objectives, (4) Urgency, (5) Technical Qualifications (construction applicants only) or Planning Qualifications (planning

applicants only), and (6) Special Consideration.

### Funding Priorities and Selection Factors

See 15 CFR 2301.4 and the supplemental policies above for a description of the PTFP Priorities and 15 CFR 2301.18 for the Selection Factors.

### Cost Sharing Requirements

PTFP requires cost sharing. By statute, PTFP cannot fund a construction project for more than 75% of the eligible project costs. NTIA has established a policy of funding most new public broadcasting station activation projects at a 75% federal share, and most other television, radio and nonbroadcast projects at a 50% federal share. NTIA can fund planning applications up to 100% of the eligible project costs, but has established a policy of funding planning applications at a 75% share. Any applicant can request federal funding greater than PTFP's policy, up to the statutory maximum, and provide justification for the request.

### Intergovernmental Review

PTFP applications are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs," if the state in which the applicant organization is located participates in the process. Usually submission to the State Single Point of Contact (SPOC) needs to be only the first two pages of the PTFP application form, but applicants should contact their own SPOC offices to find out about and comply with its requirements. The names and addresses of the SPOC offices are listed on the PTFP website and at the Office of Management and Budget's home page at <http://www.whitehouse.gov/omb/grants/spoc.html>.

### Universal Identifier

All applicants (nonprofit, state, local government, universities, and tribal organizations) will be required to provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number during the application process. See the October 30, 2002 (67 FR 66177) and April 8, 2003 (68 FR 17000) **Federal Register** notices for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line 1-866-705-5711 or via the Internet (<http://www.dunandbradstreet.com>).

### The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements

The Department of Commerce Pre-Award Notification of Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of December 30, 2004 (69 FR 78389), is applicable to this solicitation.

### Limitation of Liability

In no event will the Department of Commerce be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of other agency priorities. Publication of this announcement does not obligate the agency to award any specific project or to obligate any available funds.

### Paperwork Reduction Act

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 (PRA), unless that collection displays a currently valid Office of Management and Budget (OMB) control number. The PTFP application form has been cleared under OMB control no. 0660-0003.

### Executive Order 13132

It has been determined that this notice does not contain policies with federalism implications as that term is defined in E.O. 13132.

### Administrative Procedure Act/Regulatory Flexibility Act

Prior notice and opportunity for public comment are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

### William Cooperman,

*Director, Public Broadcasting Division.*

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