

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek
Departmental Paperwork Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6625
Washington, DC 20230

11/29/2004

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 08/26/2004.

TITLE: Dr. Nancy Foster Scholarship Program

AGENCY FORM NUMBER(S): CD-436,CD-511

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0432

EXPIRATION DATE: 11/30/2007

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	2,020	3,517	3
New	1,025	1,827	1
Difference	-995	-1,690	-2
Program Change		0	0
Adjustment		-1,690	-2

TERMS OF CLEARANCE: None

OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	10. Abstract
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
DR. NANCY FOSTER SCHOLARSHIP PROGRAM
OMB CONTROL NO. 0648-0432**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Public Law 106-513 authorized the Dr. Nancy Foster Scholarship Program. The program recognizes outstanding scholarship by providing financial support to graduate students pursuing masters and doctoral degrees in the areas of marine biology, oceanography and maritime archaeology. In order to select qualified students, it is necessary to collect an Application Package from each candidate that consists of a General Information Sheet, Statement of Intent, Institute Certification, Academic Transcripts, three Letters of Recommendation, and a Declaration Statement. The information will be used to select those individuals who will receive Dr. Nancy Foster Scholarships.

In order to properly process and monitor awardees, scholarship recipients will be required to submit an Annual Report, sign a No Concurrent Work Statement, submit form CD-346 Applicant for Funding Assistance, and provide a bio and photograph of themselves.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The Application Package information collection will be solicited by announcing the Dr. Nancy Foster Scholarship Program's annual call for applications via Federal Register Notice, NOAA's National Ocean Service Web site (<http://fosterscholars.noaa.gov/howtoapply.html#Anchor-How-27355>), listserves and electronic bulletin boards, graduate and financial aid departments, at academic conferences, and by mailing out brochures to relevant academic institutions. NOAA's National Ocean Service scholarship program administrator will conduct this information collection each year and scholarship review panelists and NOAA leadership will use the information to select scholarship recipients.

The information to be collected from actual awardees will be solicited by the scholarship program administrator and be collected by mailing out Dr. Nancy Foster Scholar packets to new and continuing awardees each summer. A Progress Report will be required annually of all continuing awardees (in May); this Progress Report will outline awardees' accomplishments and academic progress and enable administrators to track awardees' efforts. A No Concurrent Work Statement, a form CD-346, a form CD-511, a biographical sketch and a photograph will be required once of each new awardee prior to their receiving their first allotment of scholarship funds. The No Concurrent Work Statement is to certify an applicant's compliance with the scholarship parameter not allowing concurrent work while attending graduate school unless the

work directly relates to the student's graduate research; and form CD-346, which requests applicant's full name, social security number, prior work/residence history, date of birth, and criminal record status, enables the Department of Commerce to conduct a background check, that may include credit reporting and an FBI criminal background check, so that awardees may receive the necessary approval and clearance required in order to be funded via the NOAA Grants Office and Office of Finance and Administration systems. Submission of the social security number via the CD-346 is voluntary, but not providing it may increase delays in the Department's review process and awarding of funds. The bios and photographs will be posted on the scholarship Web site so interested individuals can see and learn more about those who were selected as awardees.

The information collection is designed to yield data that meet applicable information quality guidelines. Prior to any dissemination, the information will meet the quality control measures and pre-dissemination review requirements of the NOAA Information Quality Guidelines (see <http://www.noaanews.noaa.gov/stories/iq.htm>).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The program will be advertised over NOAA's National Ocean Service Web site, on electronic bulletin boards and via marine related listserves.

4. Describe efforts to identify duplication.

The scholarship administrator within NOAA's National Ocean Service Headquarters will oversee the information collection. This will prevent duplication of effort.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

This collection does not involve small businesses or other small entities.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Consequences could include scholarship funds not being awarded and students not receiving financial support; scholarships being awarded less frequently than possible, or on a timeframe that is not in sync with the academic year; the scholarship administrator not being able to effectively track awardee progress; awardees not receiving their funding on time; and the scholarship administrator not being able to market the program effectively.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

None

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any) and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice (copy attached) solicited comments from the public. One comment was received.

Comment

I think this program should be cancelled to save taxpayer dollars. Taxpayers are getting hit hard with these programs to fund students who go into very high paying occupations. I think these occupations pay so high that loan programs should be used instead to collect back the money for taxpayers, many of whom earn much less per year than grad students. I see no reason to fund any graduate students who earn more than joe average.

This program should become a loan program and if the loans are not repaid the program dies.

Response

Thank you for your comments on subject federal register notice. In June 2000, public law 106-513 authorized the Dr. Nancy Foster Scholarship for students working toward masters and doctoral degrees in marine biology, maritime archeology, and oceanography. The funds used to support this program are derived from the Marine Sanctuary Program appropriated funds and if not used for the scholarship would be used within this program. The scholarship honors Dr. Nancy Foster whose accomplishments were many in these scientific fields and who encouraged others to work in these fields. However, there is a critical shortage of women and minorities in these fields and the Congress enacted this scholarship to provide a means to help others who would not otherwise be able to get a graduate education. The scholarship is awarded to those students who demonstrate that they would not otherwise be able to go to graduate school without financial help. Many of these students indicate that they already have loans from undergraduate education and would be financially unable to repay any additional loans.

Consultation

For the initial submission, scholarship administrators consulted with representatives from universities/colleges with relevant academic programs, administrators of other scholarship programs, representatives from financial aid offices, and representatives from NOAA's Grants Office and Office of Finance and Administration. In addition, administrators held conversations and email dialogues with interested applicants.

9. Explain any decision to provide payments or gifts to respondents and the basis for

assurance in statute, regulation, or agency policy.

Other than the scholarship funds, there is no remuneration involved.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

No confidentiality is promised or provided except the social security and tax ID numbers will remain confidential based upon the Privacy Act of 1974 (P.L.93-479).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Not applicable.

12. Provide an estimate in hours of the burden of the collection of information.

All applicants are required to submit an Application Package. Based upon a 3-year average of applications, we expect to receive 1000 responses annually, for 250 applicants, consisting of one application from each applicant and three letters of recommendation for each applicant. Completion of the Application Package is estimated to take 5 hours, in addition to 45 minutes needed for each Letter of Recommendation to be written. It is estimated that five awardees will be selected each year, each of whom will make five additional responses (25 responses, total). Writing an Annual Progress Report is estimated to take 1.5 hours. Signing a No Concurrent Work Statement is estimated to take 5 minutes. Filling out CD-346 is estimated to take 15 minutes, and a CD-511, 5 minutes. Providing a bio and photograph is estimate to take 1 hour.

250 application package respondents x 5 hours =	1250.00	hours
750 letters of recommendation x 0.75 hours =	562.50	hours
5 annual reports x 1.5 hours =	7.50	hours
5 no concurrent work statements x 5 minutes =	.42	hours
5 CD-346 x 0.25 hour =	1.25	hours
5 CD-511 x 5 minutes =	.42	hours
5 bio/photograph submissions x 1 hour =	5.00	hours
Total hours of burden =	1827.08	hours

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

It is estimated that it will cost each applicant \$5.00 for photocopying and mailing of the application packages (total \$1,250) and, for applicants who are selected as scholars, an additional \$10 for a photograph and mailing expenses (\$50), making the annual cost burden \$1,300.

14. Provide estimates of annualized cost to the Federal government.

\$45,000. This figure represents salary dollars needed to oversee administration of the program, salary dollars for application review by panel members, and salary dollars and cost of materials for development of the annual scholarship brochure and Web site.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I

The number of respondents has decreased over the last 3 years to approximately half of the original estimate in 2001. Minor adjustments have been made to the burden hour estimates per application and per CD-346. The CD-511 has been added for awardees.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The names, academic institutions, degree and research plans, photographs, and biographical information of the scholarship awardees will be posted on NOAA's National Ocean Service Web site and may be published in marketing materials developed to advertise the program.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be appropriate.

Not applicable.

18. Explain each exception to the certificate statement identified in Item 19 of the OMB 83-I.

Not applicable

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

FORM **CD-346**
(REV. 08-03)
DAO 207-10

U.S. DEPARTMENT OF COMMERCE

DO NOT COMPLETE THIS SECTION

APPLICANT FOR FUNDING ASSISTANCE

DATE OF REQUEST

- NAME CHECK
 IDENTIFICATION CHECK

INSTRUCTIONS: Please type or print clearly. Information below will be used for investigation of named person's or firm's character and/or integrity. In answer to question 11 below, the fact that you may have a conviction record or have criminal charges pending against you will not necessarily disqualify you. An incorrect answer may cause your application to be turned down. Please read Privacy Act Advisory Statement on reverse of form.

<p>1. NAME OF APPLICANT <i>(If no middle name use (NMN). Also list former names used).</i></p> <p>LAST FIRST MIDDLE MAIDEN</p> <p>SPOUSE</p>	<p>5. NAME AND ADDRESS OF FIRM <i>(Post Office Box is not sufficient)</i></p>
	<p>6. PHONE NUMBER OF FIRM 7. REGIONAL OFFICE</p>

<p>2. DATE OF BIRTH</p>	<p>3. SOCIAL SECURITY NUMBER <i>(Voluntary)</i></p>	<p>8. U.S. CITIZEN?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO <i>(If no, give alien registration number)</i></p>
<p>4. PLACE OF BIRTH</p>		

9. EMPLOYMENT *(Last 3 years)*

FROM TO EMPLOYER NAME AND COMPLETE ADDRESS

10. RESIDENCE *(Last 3 years)*

FROM TO COMPLETE ADDRESS

11. HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENSE OR ARE CRIMINAL CHARGES PENDING AGAINST YOU? *(You may omit minor traffic violations for which you forfeited \$50.00 or less).*

YES NO *(If yes, please furnish details on the reverse side of this form).*

12. RESULTS OF CHECK *(Government Use Only)*

With knowledge of 18 U.S.C. 1001 and 42 U.S.C. 3220 which provide for criminal penalties for the making of false statements, the undersigned hereby certifies that the above information is correct.

<p>SIGNATURE</p>	<p>DATE</p>
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PRIVACY ACT ADVISORY STATEMENT

The Privacy Act of 1974 (P.L. 93-479) requires that you be given certain information in connection with: (a) The request for information solicited on Form CD-346; or (b) The request for your Social Security Number. Accordingly, pursuant to the requirements of the Act, please be advised:

THE AUTHORITY FOR THE COLLECTION OF THIS DATA IS: 42 USC 3211(12); as well as the responsibilities cited in the Inspector General Act of 1978, Sec. 4(a)(3)

THE PRINCIPAL PURPOSE(S) FOR WHICH THE DATA WILL BE USED IS:

Information is used to establish good character of principal officers and employees of organizations, firms or recipients or beneficiaries of grants, loans, or loan guarantee programs that may receive grants, loans, or guarantees from the U.S. Department of Commerce.

YOUR SOCIAL SECURITY NUMBER IS VOLUNTARY DATA, BUT PROVIDING YOUR SOCIAL SECURITY NUMBER MAY REDUCE DELAYS IN THE REVIEW PROCESS.

QUESTION 11 CONTINUATION:

PREFATORY STATEMENT OF GENERAL ROUTINE USES

The following routine uses apply to, and are incorporated by reference into, each system of records set forth below:

1. In the event that a system of records maintained by the department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.
2. A record from this system of records may be disclosed, as a routine use, to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
3. A record from this system may be disclosed, as a routine use, to a Federal, state, or local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
4. A record from this system of records may be disclosed, as a routine use in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
5. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.
6. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR Part 4b if, in the sole judgement of the Department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f) (3) and implementing regulations at 15 CFR 4b.6.
7. Deleted, Reserved.
8. A record in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any state of the legislative coordination and clearance process as set forth in that Circular.
9. A record in this system may be disclosed, as a routine use, to the Department of Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act 5 U.S.C. 552.
10. A record from this system of records may be disclosed, as a routine use, to a contractor of the Department having need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a(m).
11. Deleted, Reserved.
12. A record in this system may be transferred, as a routine use, to the Office of Personnel Management for personnel research purposes; as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related man-power studies.
13. A record in this system of records may be disclosed, as a routine use, to the Archivist of the United States, National Archives & Records Administration (NARA), or his designee, during an inspection of records conducted by NARA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the NARA regulations governing inspection of records for this purpose, and other relevant (i.e., NARA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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.

The public reporting burden for this collection is estimated to average 15 minutes per response including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Inspector General, Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.

CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS AND LOBBYING

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 26, "Governmentwide Debarment and Suspension (Nonprocurement)" and "Governmentwide Requirements for Drug-Free Workplace" and 15 CFR Part 28, "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

1. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 15 CFR Part 26, for prospective participants in primary covered transactions, as defined at 15 CFR Part 26, Sections 26.105 and 26.110 -

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. DRUG-FREE WORKPLACE REQUIREMENTS Alternate I. Grantees Other Than Individuals

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR Part 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610 -

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's

workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Director, Office of Federal Assistance, Office of Federal Assistance and Management Support, HCHB Room 6054, U.S. Department of Commerce, Washington, DC 20230. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance: (Street address, city, county, state, ZIP code):

Check if there are workplaces on file that are not identified here.

Alternate II. Grantees Who Are Individuals

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610 -

(A) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(B) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Office of Federal Assistance, Office of Federal Assistance and Management Support, HCHB Room 6054, U.S. Department of Commerce, Washington, DC 20230. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

3. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000, or loan or loan guarantee over \$150,000, as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee

of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT

AWARD NUMBER AND/OR PROJECT NAME

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE

-
- [United States Code](#)
 - [TITLE 16 - CONSERVATION](#)
 - [CHAPTER 32 - MARINE SANCTUARIES](#)
-

U.S. Code as of: 01/22/02

Section 1445c. Dr. Nancy Foster Scholarship Program

(a) Establishment

The Secretary shall establish and administer through the National Ocean Service the Dr. Nancy Foster Scholarship Program. Under the program, the Secretary shall award graduate education scholarships in oceanography, marine biology or maritime archeology, to be known as Dr. Nancy Foster Scholarships.

(b) Purposes

The purposes of the Dr. Nancy Foster Scholarship Program are -

- (1) to recognize outstanding scholarship in oceanography, marine biology, or maritime archeology, particularly by women and members of minority groups; and
- (2) to encourage independent graduate level research in oceanography, marine biology, or maritime archeology.

(c) Award

Each Dr. Nancy Foster Scholarship -

- (1) shall be used to support graduate studies in oceanography, marine biology, or maritime archeology at a graduate level institution of higher education; and
- (2) shall be awarded in accordance with guidelines issued by the Secretary.

(d) Distribution of funds

The amount of each Dr. Nancy Foster Scholarship shall be provided directly to a recipient selected by the Secretary upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by a graduate level institution of higher education.

(e) Funding

Of the amount available each fiscal year to carry out this chapter, the Secretary shall award 1 percent as

Dr. Nancy Foster
Scholarships.

(f) Scholarship repayment requirement

The Secretary shall require an individual receiving a scholarship under this section to repay the full amount of the scholarship to the Secretary if the Secretary determines that the individual, in obtaining or using the scholarship, engaged in fraudulent conduct or failed to comply with any term or condition of the scholarship.

(g) Maritime archeology defined

In this section the term ''maritime archeology'' includes the curation, preservation, and display of maritime artifacts.

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

[I.D. 052104C]

Proposed Information Collection; Comment Request; NOAA Research International Technical Assistance Program (ITAP)

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before July 26, 2004.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Bruce Travis Creighton, 301-713-2469, ext. 124; email: bruce.creighton@noaa.gov; or Jill Hepp, 301-713-2469, ext. 210; email: jill.hepp@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

The International Technical Assistance Program (ITAP) for NOAA Research is intended to stimulate the development of new collaborative relationships, foster exchanges of scientific personnel and information between NOAA Research and other countries and secure outside resources to promote international research and projects. To facilitate this, an online survey has been developed. The survey will act as a mechanism to catalog the products, services, technical and language expertise of NOAA Research and its affiliated personnel. This database will be used by NOAA Research to enable potential users to link specific areas of expertise and capabilities with funding for emerging international projects and initiatives. NOAA Research and its partners will

then serve as a bridge between users (donor organizations) and experts to help facilitate and coordinate the resulting collaboration.

II. Method of Collection

The information will be collected via an online web survey.

III. Data

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Federal Government, State, Local or Tribal Government.

Estimated Number of Respondents: 1,500.

Estimated Time Per Response: 20 minutes.

Estimated Total Annual Burden Hours: 500 hours.

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: May 19, 2004.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 04-11909 Filed 5-25-04; 8:45 am]

BILLING CODE 3510-KD-S

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

[I.D. 052104E]

Proposed Information Collection; Comment Request; Dr. Nancy Foster Scholarship Program

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before July 26, 2004.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Ruth Moore, N/MB3, SSMC4, Room 13108, 1305 East-West Highway, Silver Spring, MD 20910-3282 (phone 301-713-3050, ext. 169).

SUPPLEMENTARY INFORMATION:**I. Abstract**

The Dr. Nancy Foster Scholarship Program recognizes outstanding scholarship by providing financial support to graduate students pursuing masters and doctoral degrees in the areas of marine biology, oceanography, and maritime archaeology. The applicants must submit documentation that NOAA uses to select candidates, including three letters of recommendation. Persons receiving scholarships will be required to submit certain reports and other information detailed below.

II. Method of Collection

Respondents meet solicitation or award requirements with paper submissions. Electronic submissions are being considered. Applicants submit form CD-346 if they are chosen for the program.

III. Data

OMB Number: 0648-0432.

Form Number: CD-346.

Type of Review: Regular submission.

Affected Public: Individuals or households.

Estimated Number of Respondents: 1,000.

Estimated Time Per Response: 5 hours per application; 45 minutes for a letter of recommendation; 15 minutes for an employment/non-employment certification; 15 minutes for a Selective Service Statement from a male awardee;

30 minutes for an academic progress report from the applicant; 30 minutes for an annual progress report from the awardee's school advisor; 30 minutes for an annual financial request; and 90 minutes for a biography and photo from each awardee.

Estimated Total Annual Burden Hours: 1,766.

Estimated Total Annual Cost to Public: \$1,300.

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: May 19, 2004.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 04-11911 Filed 5-25-04; 8:45 am]

BILLING CODE 3510-NK-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 060303D]

Atlantic Highly Migratory Species (HMS); Issues and Options Paper for Amendment 2 to the Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks (HMS FMP) and Amendment 2 to the Atlantic Billfish Fishery Management Plan (Billfish FMP); Additional Public Scoping Meeting and Extension of Comment Period

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

ACTION: Notice of additional public scoping meeting; extension of comment period.

SUMMARY: In a previously published notice, NMFS announced the availability of an issues and options paper and the schedule of nine scoping meetings to discuss the issues described in the paper. In this notice, NMFS announces one additional scoping meeting and extends the comment period on the issues and options paper. Comments received on the issues and options paper and in the scoping meetings will assist NMFS in developing Amendment 2 to the HMS FMP and Amendment 2 to the Billfish FMP.

DATES: The additional public scoping meeting will be held on: Thursday, June 17, 2004, from 6:30 - 8:30 p.m.

The July 14, 2004, comment period on the issues and options paper has been extended to July 23, 2004.

ADDRESSES: The additional public scoping meeting will be held in: Pier House Hotel, 1 Duval Street, Key West, FL 33040.

Written comments on the issues and options paper should be mailed to Christopher Rogers, Chief, NMFS Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910; or faxed to (301) 713-1917. Comments may also be submitted by e-mail:

060303D.issues@noaa.gov.

Copies of the issues and options paper or the HMS and Billfish FMPs can be obtained from the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms>, by contacting Karyl Brewster-Geisz at (301) 713-2347, or by writing to the address above.

FOR FURTHER INFORMATION CONTACT:

Karyl Brewster-Geisz at (301) 713-2347, Mark Murray-Brown at (978) 281-9260, or Russell Dunn at (727) 570-5447.

SUPPLEMENTARY INFORMATION: Atlantic tuna, swordfish, shark and billfish fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act and regulated pursuant to the Atlantic Tunas Convention Act (ATCA), which authorizes the promulgation of rulemakings to implement recommendations of the International Convention for the Conservation of Atlantic Tunas (ICCAT). Implementing regulations for both the HMS FMP and the Billfish FMP are at 50 CFR part 635. On April 30, 2004 (69 FR 23730), NMFS published in the **Federal Register** a notice of availability of an issues and options paper that examines possible alternatives for amending some of the regulations in the HMS and Billfish FMPs. That notice included the schedule for nine scoping meetings in Gloucester, MA; Ocean City, MD; New

Orleans, LA; Manteo, NC; San Juan, PR; Destin, FL; Montauk, NY; Port Aransas, TX; and Cocoa Beach, FL. Complete schedule information of those public scoping meetings along with information pertaining to the issues and options paper are contained in the April 30, 2004, notice of availability and are not repeated here.

Since the publication of the notice of availability, NMFS has scheduled one additional scoping meeting in Key West, FL, to allow interested parties an additional chance to comment on and discuss the issues included in the issues and options paper.

Additionally, to help ensure that all interested parties have adequate time to prepare their written comments, NMFS is extending the July 14, 2004, public comment period on the issues and options paper to July 23, 2004.

The public is reminded that NMFS expects participants at the public meetings to conduct themselves appropriately. At the beginning of each public scoping meeting, an NMFS representative will explain the ground rules (e.g., alcohol is prohibited from the hearing room; attendees will be called to give their comments in the order in which they registered to speak; each attendee will have an equal amount of time to speak; and attendees should not interrupt one another). An NMFS representative will attempt to structure the meeting so that all attendees will be able to comment, if they so choose, regardless of the controversial nature of the subject(s). Attendees are expected to respect the ground rules, and, if they do not, they will be asked to leave the meeting.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Heather Stirratt, (301) 713-2347, at least seven days prior to the meeting date.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: May 20, 2004.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 04-11912 Filed 5-25-04; 8:45 am]

BILLING CODE 3510-22-S