checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury or other matters which significantly reflect on the applicant's management honesty or financial integrity.

Award Termination—The Departmental Grants Officer may terminate any grant/cooperative agreement in whole or in part at any time before the date of completion whenever it is determined that the award recipient has failed to comply with the conditions of the grant/cooperative agreement. Examples of some of the conditions which can cause termination are failure to meet cost-sharing requirements; unsatisfactory performance of the MBDC work requirements; and reporting inaccurate or inflated claims of client assistance. Such inaccurate or inflated claims may be deemed illegal and punishable by law.

False Statements—A false statement on an application for Federal financial assistance is 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.

Primary Applicant Certifications—All primary applicants must submit a completed Form CD–511, ''Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying.''

Nonprocurement Debarment and Suspension—Prospective participants (as defined at 15 CFR Part 26, § 26.105) are subject to 15 CFR Part 26, ''Nonprocurement Debarment and Suspension'' and the related section of the certification form prescribed above applies.

Drug Free Workplace—Grantees (as defined at 15 CFR Part 26, § 26.605) are subject to 15 CFR Part 26, Subpart F, ''Governmentwide Requirements for Drug-Free Workplace (Grants)'' and the related section of the certification form prescribed above applies.

Anti-Lobbying—Persons (as defined at 15 CFR Part 28, § 28.105) are subject to the lobbying provisions of 31 U.S.C. 1352, ''Limitation 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.

Anti-Lobbying Disclosures—Any applicant 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.

Lower Tier Certifications—Recipients shall require applications/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 disclosure form, SF–LLL, ''Disclosure of Lobbying Activities.'' Form CD–512 is intended for the use of recipients and should not be transmitted to DOC. SF–LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document.

Buy American-made Equipment or Products—Applicants are hereby notified that they are encouraged, to the extent feasible, to purchase American-made equipment and products with funding provided under this program in accordance with Congressional intent as set forth in the resolution contained in Public Law 103–121, Sections 606 (a) and (b).

11.800 Minority Business Development Center

(Catalog of Federal Domestic Assistance)

May 4, 1995.

Donald L. Powers,

Federal Register Liaison Officer, Minority Business Development Agency.

[FR Doc. 95–11461 Filed 5–9–95; 8:45 am]

BILLING CODE 3510–21–P

National Oceanic and Atmospheric Administration

[I.D. 050195E]

Small Takes of Marine Mammals Incidental to Specified Activities; Lockheed Launch Vehicles at Vandenberg Air Force Base, CA

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

ACTION: Notice of receipt of application and proposed authorization for a small take exemption; request for comments.

SUMMARY: NMFS has received a request from Lockheed Environmental Systems and Technologies Company, Las Vegas, NV (Lockheed) for authorization to take small numbers of harbor seals by harassment incidental to launches of Lockheed's launch vehicles at Space Launch Complex 6 (SLC–6), Vandenberg Air Force Base, CA (Vandenberg). Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to authorize Lockheed to incidentally take, by harassment, small numbers of harbor seals in the vicinity of Vandenberg for a period of 1 year.

DATES: Comments and information must be received no later than June 9, 1995.

ADDRESSES: Comments on the application should be addressed to Chief, Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. A copy of the application and the references used in this document may be obtained by writing to this address or by telephoning one of the contacts listed below.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources at 301–713–2055, or Craig Wingert, Southwest Regional Office at 310–980–4021.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s); will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses; and the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

On April 30, 1994, the President signed Public Law 103–238, The Marine Mammal Protection Act Amendments of 1994. One part of this law added a new subsection 101(a)(5)(D) to the MMPA to establish an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. The MMPA defines ''harassment'' as:

'' * * *any act of pursuit,torment, or annoyance which (a) has the potential to injure a marine mammal or marine mammal stock in the wild; or (b) has the potential to disturb a marine mammal or marine mammal

stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.''

New subsection 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization.

Summary of Request

On March 13, 1995, NMFS received an application from Lockheed requesting an authorization for the harassment of small numbers of harbor seals incidental to launches of Lockheed's launch vehicles (LLV) at SLC–6, Vandenberg. These launches would place commercial payloads into low earth orbit using its family of vehicles (LLV–1, LLV–2 and LLV–3). Because of the requirements for circumpolar trajectories of the LLV and its payloads, the use of SLC–6 is the only feasible alternative within the United States. Lockheed intends to launch approximately 2 LLVs during the period of this proposed 1–yr authorization (Air Force, 1995)[1]. As a result of the noise associated with the launch itself and the resultant sonic boom, these noises have the potential to cause a startle response to those harbor seals which haul out on the coastline south and southwest of Vandenberg and possibly on the northern Channel Islands. Launch noise would be expected to occur over the coastal habitats in the vicinity of SLC–6 while low-level sonic booms could be heard on the Channel Islands, specifically San Miguel Island (SMI) and Santa Rosa Island (SRI).

Description of Habitat and Marine Mammal Affected by LLVs

The Southern California Bight (SCB) including the Channel Islands, support a diverse assemblage of pinnipeds (seals and sea lions). California sea lions(*Zalophus californianus*), northern elephant seals (*Mirounga angustirostris*), harbor seals (*Phoca vitulina*) and northern fur seals (*Callorhinus ursinus*) breed there, with the largest rookeries on SMI and San Nicolas Island (Stewart et al., in press). Until 1977, a small rookery of Steller sea lions (*Eumetopias jubatus*) existed on SMI. However, there has been no breeding there since 1981 and no sightings since 1984 (Stewart et al., in press). Guadalupe fur seals (*Arctocephalus townsendi*) breed only on Isla de Guadalupe offshore Baja California, Mexico, but occasionally some are seen on the Channel Islands. More detailed descriptions of the SCB and its associated marine mammals can be found elsewhere (56 FR 1606, January 16, 1991).

Harbor Seals

The Pacific harbor seal, which ranges from Baja California to the eastern Aleutian Islands, is the only marine mammal expected to be incidentally harassed by LLV launches from Vandenberg and therefore needs to be discussed in some detail. Harbor seals are considered abundant throughout most of their range and have increased substantially in the last 20 years. Hanan and Beeson (1994) reported 18,099 seals counted on the mainland coast and islands of California during May and June, 1993. Using that count and Boveng's (1988) correction factor (1.4 times the count) for animals not hauled out, gives a best population estimate of 25,339 harbor seals in California.

On the coastlines of South Vandenberg AFB, harbor seals are noted near Point Arguello, at the mouth of Oil Well Canyon, in the area surrounding Rocky Point and near the Boathouse Breakwater (Air Force, 1995). The largest aggregations occur during the spring and early summer. In 1986, 500 harbor seals were censused at these sites (Hanan et al., 1987). In the spring, approximately 70 harbor seals may be found at Rocky Point, immediately south of SLC–6 (Air Force, 1995).

On SMI during the breeding season, the population is estimated to be about 1,000 - 1,200 harbor seals (Hanan et al., 1993). Numbers are lowest in December, increase gradually from February to June, then sharply decrease again to a minimum in December. Pups are born from February through May. Pups nurse for about 4 weeks; nursing extends to at least the end of May. Breeding activities occur from mid-April to mid-June.

Harbor seals haulout onto dry land for various biological reasons, including sleep (Krieber and Barrette, 1984; Terhune, 1985), predator avoidance and thermoregulation (Barnett, 1992). As harbor seals spend most of the evening and nighttime hours in the ocean (Bowles and Stewart, 1980), hauled-out seals spend much of their daytime hours in apparent sleep (Krieber and Barrette, 1984; Terhune, 1985). In addition to sleep, seals need to leave the ocean to avoid aquatic predators and excessive heat loss to the sea water (Barnett, 1992).

However, the advantages of hauling out are counterbalanced by dangers of the terrestrial environment including predators. In general, because of these opposing biological forces, haulout groups are temporary, unstable aggregations (Sullivan, 1982). The size of the haulout group is thought to be an anti-predator strategy (da Silva and Terhune, 1988). By increasing their numbers at a haulout site, harbor seals optimize the opportunities for sleep by minimizing the requirement for individual vigilance against predators (Krieber and Barrette, 1984). This relationship between seals and their predators is thought to have represented a strong selection pressure for startle behavior patterns (da Silva and Terhune, 1988). As a result, harbor seals, which have been subjected to extensive predation or hunting, rush into the water at the slightest alarm. Startle response in harbor seals can vary from a temporary state of agitation by a few individuals to the complete abandonment of the beach area by the entire colony. Normally, when harbor seals are frightened by noise, or the approach of a boat, plane, human, or other potential predator, they will move rapidly to the relative safety of the water. Depending upon the severity of the disturbance, seals may return to the original haulout site immediately, stay in the water for some length of time before hauling out, or haulout in a different area. When disturbances occur late in the day, harbor seals may not haulout again until the next day.

Disturbances have the potential to cause a more serious effect when herds are pupping or nursing, when aggregations are dense, and during the molting season. However, evidence to date has not indicated that anthropogenic disturbances have resulted in increased mortality to harbor seals. Bowles and Stewart (1980) for example, found that harbor seals tendency to flee, and the length of time before returning to the beach, decreased during the pupping season. They also found that maternal-pup separations in crowded colonies are considered frequent, natural occurrences that can result from several causes, including normal female-female or male-female interactions. Both factors apparently giving some protection to young seals from the startle response of the herd.

Potential Effects of LLV Launches on Marine Mammals

The effect on pinnipeds, particularly harbor seals, would be disturbance by sound which is anticipated to result in a negligible short-term impact to small

[1] A list of references used in this document can be obtained by writing to the address provided above (see **ADDRESSES**).

numbers of harbor seals that are hauled out at the time of LLV launches. No impacts are anticipated to animals that are in the water at the time of launch.

The Air Force funded several studies in anticipation of launching the space shuttle from Vandenberg. In addition, monitoring studies have been conducted on pinnipeds during launches of the Titan IV at SLC–4 (Stewart and Francine, 1992; Stewart et al., 1992 and 1993). On SMI, time-lapse photographic monitoring (Jehl and Cooper, 1982) show that in response to a specific stimulus, large numbers of pinnipeds move suddenly from the shoreline to the water. These events occur at a frequency of about 24 to 36 times per year for sea lions and seals other than harbor seals, and about 48 to 60 times annually for harbor seals. Visual stimuli such as humans and low-flying aircraft are much more likely to elicit this response than strictly auditory stimuli such as boat noise or sonic booms, which currently occur about 8 times a month. Observations indicated that it is rare for mass movement to take place in a panic, and no resulting pup or adult mortality has been observed under these circumstances.

South Vandenberg

At South Vandenberg, launch noises are expected to impact only harbor seals as other marine mammals are not known to haulout at these sites with any frequency. The launch noise associated with the LLV under typical conditions would be about 93 dBA (118 dB) at the harbor seal haul-out areas which are about 1.5 mi (2.4 km) to the south and southwest of SLC–6 (Buhaly, 1993). This level would be much less than anticipated launch noises of either the Space Shuttle or Titan IV/Centaur at similar distances (approximately 120 dBA/144 dB for Titan IV) for which small take authorizations have been issued in the past. In addition, the seaward aspects of the cliffs throughout much of the coastal area are expected to buffer the haul-out areas from launch noises during the earliest stages of LLV launches (USAF, 1995).

As part of the small take authorization for Titan IV launches at SLC–4 (approximately 4.8 mi (7.7 km) north of Rocky Point), the U.S. Air Force has monitored the effects of launch noises on hauled out harbor seals (Stewart and Francine, 1992; Stewart et al., 1992 and 1993). For four monitored launches, the sound exposure level ranged from 98.7 - 101.8 dBA (145 dB) (Stewart et al., 1993), a noise level that is similar to an F–16 jet overflight, although lower in frequency. This sound pressure level is approximately 20 dB less than predicted theoretically.

During the 1992 and 1993 Titan IV launches, all or almost all, harbor seals that were ashore (1992–23 of 28; 1993–41 of 41) at the time fled into the water in response to the noise. In 1993 about 75 percent of those seals returned ashore later that day, most within 90 minutes of the disturbance (Stewart et al., 1993). No mortalities were reported at South Vandenberg as a result of any of the four monitored launches. As the LLV launches create less noise than the Titan IV, fewer harbor seals are expected to react to the launch noise.

Northern Channel Islands

Depending upon the intensity and location of a sonic boom, pinnipeds on SMI or SRI may exhibit an alert response or stampede into the water. However, while it is highly probable that focused sonic booms from LLVs would occur over the Channel Islands, maximum overpressures of these sonic booms are estimated to be 1.0 pound/foot^2 (psf) over the northern part of SMI (Air Force, 1995). A sonic boom with an overpressure of 1.0 psf or less is not considered significant (equivalent to hearing two hands clapped together at a distance of one foot).

The sonic booms resulting from launches of the LLV will vary with the type of vehicle and the specific ground location. For example, the sonic boom from LLV–3 (the largest of the LLV rockets) is not expected to intersect any portion of the northern Channel Islands, but instead will focus on the open water southwest of the Islands. Also, while it is predicted that launches of the LLV 1 and LLV 2 will produce sonic booms over portions of the Channel Islands, the maximum overall sound pressure levels is not expected to exceed 80 dBA and in most cases will not exceed 70 dBA (Air Force, 1995). These sonic boom levels are likely to be indistinguishable from background noises caused by wind and surf (Air Force, 1995).

Monitoring of the effects of noise generated from Titan IV launches on SMI pinnipeds in 1991 (Stewart et al., 1992) demonstrated that noise levels from a sonic boom of 133 dB (111.7 dBA) caused an alert response by small numbers of California sea lions, but no response from other pinniped species present (including harbor seals). In 1993, an explosion of a Titan IV created a sonic boom-like pressure wave and caused approximately 45 percent of the California sea lions (approximately 23,400, including 14–15,000 1-month old pups, were hauled-out on SMI during the launch) and 2 percent of the northern fur seals to enter the surf zone. Although, approximately 15 percent of the sea lion pups were temporarily abandoned when their mothers fled into the surf, no injuries or mortalities were observed. Most animals were returning to shore within 2 hours of the disturbance (Stewart et al., 1993).

Since the noise level from LLV launches is expected to be well below both these levels and the threshold criteria of 101 dBA identified by Stewart et al. (1993), no incidental harassment takings are anticipated to occur on the northern Channel Islands.

Mitigation

Unless constrained by other factors including but not limited to, human safety, national security or launch trajectories, efforts to ensure minimum negligible impacts of LLV launches on harbor seals and other pinnipeds are proposed for inclusion in the Incidental Harassment Authorization. These proposals include:

1. Avoidance whenever possible of launches during the harbor seal pupping season of February through May;
2. Preference for launches after June 1 and prior to December 1; and,
3. Preference for night launches during the period when harbor seals are hauled out in any numbers.

Monitoring

NMFS proposes that the Holder of the Incidental Harassment Authorization will monitor the impact of LLV launches on the harbor seal haulouts at Rocky Point or in the absence of harbor seals at that location, at another South Vandenberg location, and on the northern part of SMI during the 1-year period of authorization in order to verify the assumptions made in this finding. A report on this monitoring program will be required to be submitted prior to next year's authorization request. A determination will be made at that time on the need to continue monitoring future launches at these locations.

Conclusions

The short-term impact of the launching of LLVs are expected to result at worst, in a temporary reduction in utilization of the haulout as seals leave the beach for the safety of the water. The launching is not expected to result in any reduction in the number of seals, and they are expected to continue to occupy the same area. In addition, there will not be any impact on the habitat itself. Based upon studies conducted for previous space vehicle launches at Vandenberg, significant long-term impacts on harbor seals at Vandenberg and the northern Channel Islands are unlikely.

There is no known recent subsistence use of harbor seals in southern California.

Proposed Authorization

NMFS proposes to issue an incidental harassment authorization for 1 year for launches of the LLV at SLC–6 provided the above mentioned monitoring and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed launches of the LLV at SLC–6 would result in the harassment taking of only small numbers of harbor seals, will have a negligible impact on the harbor seal stock and will not have an unmitigable adverse impact on the availability of this stock for subsistence uses.

Information Solicited

NMFS requests interested persons to submit comments, information, and suggestions concerning this request (see **ADDRESSES**).

Dated: May 4, 1995.

William W. Fox, Jr.,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 95–11537 Filed 5–9–95; 8:45 am]

BILLING CODE 3510–22–F

COMMISSION ON PROTECTING AND REDUCING GOVERNMENT SECRECY

Notice of Meeting

This notice announces the second in a series of monthly meetings of the Commissioners of the Commission on Protecting and Reducing Government Secrecy. Pursuant to Title IX of Public Law 103–236, dated April 30, 1994, the Commission consists of twelve members, four appointed by the President, two each by the Speaker of the House and the House Minority Leader and two each by the Senate Majority and Minority Leaders. The Commission will remain in effect for two years from the date of its first meeting.

Time and Date: 3:00 p.m., May 17, 1995.

Place: S–116, Committee on Foreign Relations Hearing Room, The Capitol.

Status: Open.

Matters to be Considered: 1. The President's Executive Order 12958, signed April 17, 1995, on classified national security information, and related matters on classification policy.

Contact Person for more Information: Eric Biel, Staff Director, Commission on Protecting and Reducing Government Secrecy, (202) 857–0002; FAX (202) 457–0128.

Eric Biel,

Staff Director, Commission on Protecting and Reducing Government Secrecy.

[FR Doc. 95–11512 Filed 5–9–95; 8:45 am]

BILLING CODE 6820–ER–M

DEPARTMENT OF DEFENSE

Department of the Army

Army Science Board; Notice of Open Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Committee Meeting:

Name of Committee: Army Science Board (ASB).

Date of Meeting: 23 & 24 May 1995.

Time of Meeting: 0930–1700, 23 & 24 May 1995.

Place: Pentagon and Ft. Gordon.

Agenda: The Army Science Board (ASB) C4I Issue Group will commence an Issue Group Study on ''A Strategy for Leveraging Commercial Technologies for Future Army Radios.'' These meetings will be open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (703) 695–0781.

Sally A. Warner,

Administrative Officer, Army Science Board.

[FR Doc. 95–11453 Filed 5–9–95; 8:45 am]

BILLING CODE 3710–08–M

Notice

AGENCY: Board of Visitors, United States Military Academy.

ACTION: Notice of open meeting.

1. In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463) announcement is made of the following meeting:

NAME OF COMMITTEE: Board of Visitors, Untied States Military Academy.

DATE OF MEETING: 19 May 1995.

START TIME OF MEETING: 8:00 a.m.

PLACE: West Point, New York.

PROPOSED AGENDA: Annual Program Review; West Point Child Development Center and West Point School Briefing; Class of 1999 Admission Status; Presentation on Alternate Funding; and Selection of Dates for Visits to Summer Training. All proceedings are open.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel John J. Luther, United States Military Academy, West Point, NY 10996–5000, (914) 938–5870.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 95–11457 Filed 5–9–95; 8:45 am]

BILLING CODE 3710–08–M

Extension of Comment Period Deadline From May 12, 1995 to June 12, 1995 for Requested Comments on MTMC's Consideration To Employ Full-Service Contracts To Improve the Department of Defense (DOD) Personal Property Program

AGENCY: Military Traffic Management Command, DOD.

ACTION: Extension.

SUMMARY: Reference **Federal Register**, Volume 60, Number 48, page 13412, notice of MTMC's Consideration to Employ Full-Service Contracts to Improve the Department of Defense Personal Property Program published on March 13, 1995. The evolving Defense environment encompasses a smaller uniformed force, less overseas basing, reduced funding, and diminished staffing of support activities. These changes will directly affect quality of life issues for the military service members and their families. The Secretary of Defense has placed quality of life as one of the highest priorities in the Department. The intangible value of a good standard of living sets the stage for a high quality, well-trained and motivated force. Therefore, an opportunity exists for the Department to acquire a higher standard of service in the movement of service members' and their families' household goods, which in turn contributes to improved quality of life. The Military Traffic Management Command (MTMC) is engaged in an effort to simplify current processes, control program costs, and ensure quality of service by performing a reengineering of the existing DOD Personal Property Program. This reengineering effort will adopt, to the fullest extent possible, commercial business processes characteristic of world-class customers and suppliers and relieve carriers of DOD unique terms and conditions. It will also focus on the customer, reward results, foster competition, and seek excellence of vendor performance.

DATES: Comments must be received by June 12, 1995.

ADDRESSES: Mail comment to Headquarters, Military Traffic Management Command, ATTN: MTOP–Q, 5611 Columbia Pike, Falls Church, VA 22041–5050.