

an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

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

#### Paperwork Reduction Act

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 has been approved by the Office of Management and Budget (OMB) under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

#### Executive Order 12866

This notice has been determined to be not significant for purposes of Executive Order 12866.

#### Executive Order 13132 (Federalism)

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### Administrative Procedure Act/ Regulatory Flexibility Act

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, 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.

Dated: September 8, 2005.

**Peter N. Gibson,**

*Acting Deputy Chief Financial Officer,  
National Oceanic and Atmospheric  
Administration, National Ocean Service.*

[FR Doc. 05-18231 Filed 9-13-05; 8:45 am]

BILLING CODE 3510-JS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 090605D]

#### Marine Mammals; File Nos. 1070-1783 and 1075-1788

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

**ACTION:** Notice; receipt of applications.

**SUMMARY:** Notice is hereby given that the following individuals have applied in due form for permits to conduct research on marine mammals: Dr. Alejandro Acevedo-Gutierrez, Biology Department, Western Washington University, Bellingham, WA 98225-9160 (File No. 1070-1783); and Dr. Shane B. Kanatous, Department of Internal Medicine, University of Texas, Southwestern Medical Center, 5323 Harry Hines Blvd., Dallas, TX 75390-8573 (File No. 1075-1788).

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 14, 2005.

**ADDRESSES:** The applications and related documents are available for review upon written request or by appointment in the following offices:

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;

File No. 1070-1783: Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426; and

File No. 1075-1788: Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

Written comments or requests for a public hearing on these applications 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 to (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 to

*NMFS.Pr1Comments@noaa.gov*. Include the appropriate document identifier in the subject line of the e-mail comment: File No. 1070-1783 or 1075-1788.

#### FOR FURTHER INFORMATION CONTACT:

Tammy Adams, Shane Guan, or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permits are requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

File No. 1070-1783: The applicant requests a five-year permit to study temporal and spatial variation in numbers and diet composition of harbor seals (*Phoca vitulina*) in southern Padilla Bay, Washington to determine responses of harbor seals to changes in prey density and the impact of seal behavior on marine protected areas. Fecal samples would be collected from rookeries and haul-out sites for dietary analyses and seals would be counted during aerial and vessel surveys. The applicant requests to harass seals from the Washington Inland Waters Stock during the study. The estimated minimum number of harbor seals in this stock is 12,844 seals.

File No. 1075-1788: The applicant requests a two-year permit to characterize the ontogenetic changes in skeletal muscle physiology in newly weaned, subadult, and adult Weddell seals (*Leptonychotes weddellii*) in the Antarctic and determine the molecular controls that regulate these changes. The applicant proposes to capture 15 adult, 15 juvenile, and 10 weaned pups annually to collect small muscle biopsy samples from the swimming muscles to identify the proteins and transcription factors that regulate the changes in myoglobin concentration, fiber type distribution and aerobic capacity. These results are expected to increase understanding of the ontogeny and molecular mechanisms by which young seals acquire the physiological adaptations necessary to become competent divers and marine predators. The applicant also requests authorization for the research-related mortality of up to two seals per year if complications should arise during sedation and handling.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of these applications to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: September 8, 2005.

**Stephen L. Leathery,**

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

[FR Doc. 05-18230 Filed 9-13-05; 8:45 am]

**BILLING CODE 3510-22-S**

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday, October 7, 2005.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**FOR FURTHER INFORMATION CONTACT:** Jean A. Webb, (202) 418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 05-18334 Filed 9-12-05; 11:52 am]

**BILLING CODE 6351-01-M**

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday, October 14, 2005.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**FOR FURTHER INFORMATION CONTACT:** Jean A. Webb, (202) 418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 05-18335 Filed 9-12-05; 11:52 am]

**BILLING CODE 6351-01-M**

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday, October 21, 2005.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**FOR FURTHER INFORMATION CONTACT:** Jean A. Webb, (202) 418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 05-18336 Filed 9-12-05; 11:52 am]

**BILLING CODE 6351-01-M**

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday, October 28, 2005.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**FOR FURTHER INFORMATION CONTACT:** Jean A. Webb, (202) 418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 05-18337 Filed 9-12-05; 11:52 am]

**BILLING CODE 6351-01-M**

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### List of Institutions of Higher Education Ineligible for Federal Funds

**AGENCY:** Department of Defense.

**ACTION:** Notice.

**SUMMARY:** This document is published to identify institutions of higher education that are ineligible for contracts and grants by reason of a determination by the Secretary of Defense that the institution prohibits or in effect prevents military recruiter access to the campus, students on campus or student directory information. It also implements the requirements set forth in section 983 of title 10, United States Code, and 32 CFR Part 216. The institution of higher education so identified is:

New York Law School, New York, New York

**ADDRESSES:** Director for Accession Policy, Office of the Under Secretary of Defense for Personnel and Readiness, 4000 Defense Pentagon, Washington, DC 20301-4000.

**FOR FURTHER INFORMATION CONTACT:** Commander Ronda Syring, (703) 695-5529.

Dated: September 8, 2005.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 05-18178 Filed 9-13-05; 8:45 am]

**BILLING CODE 5001-06-M**

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### U.S. Court of Appeals for the Armed Forces Proposed Rule Changes

**ACTION:** Notice of Proposed Changes to the Rules of Practice and Procedure of the United States Court of Appeals for the Armed Forces.

**SUMMARY:** This notice announces the following proposed changes to Rules 36, 39, 21(b)(6), 24(a), 28(a), 32, 34(b), and 10(a)(3) of the Rules of Practice and Procedure, United States Court of Appeals for the Armed Forces for public notice and comment. New language is in bold print.

**DATES:** Comments on the proposed changes must be received by October 14, 2005.

**FOR FURTHER INFORMATION CONTACT:** William A. DeCicco, Clerk of Court, telephone (202) 761-1448 (ext. 600).

#### Proposed Revision to Rule 36

##### Rule 36. Filing of Pleadings

(a) In general. Pleadings or other papers relative to a case shall be filed in the Clerk's office, 450 E Street, Northwest, Washington, DC 20442-0001, either in person, by mail, or by third-party commercial carrier. *See* Rule 37(b)(2).

(b) Filing in person. (no change).

(c) Filing by mail or third-party commercial carrier. If a pleading or other paper is filed by mail, such filing shall consist of depositing the pleading or other paper with the United States Postal Service, with no less than first-class postage prepaid, properly addressed to the Clerk's office. If a pleading or other paper is filed through a third-party commercial carrier, such filing shall consist of delivery to the commercial carrier for delivery within 3 calendar days.

(d) Time of filing. Pleadings or other papers shall be deemed to have been filed on the date they are delivered to the Clerk's office under subsection (b) or on the date they are mailed or delivered to a commercial carrier under subsection (c). *See* Rules 37(b)(1) and 39(e).

(e) Non-compliant pleadings. (no change).