

panel qualified to evaluate the applications submitted. The review panel will consist of at least 3 persons, all of whom will be full-time federal employees and at least one of whom will be an MBDA employee, who will review the applications for a specified project based on the above evaluation criterion. Each reviewer shall evaluate and provide a score for each proposal. Each project review panel (through the panel Chairperson) shall provide the MBDA National Director (Recommending Official) with a ranking of the applications based on the average of the reviewers' scores and shall also provide a recommendation regarding funding of the highest scoring application.

### 3. Oral Presentation—Upon MBDA Request

MBDA may invite the two (2) top-ranked applicants to develop and provide an oral presentation. If an oral presentation is requested, the affected applicants will receive a formal communication (via standard mail, e-mail or fax) from MBDA indicating the time and date for the presentation. In-person presentations are not mandatory but are encouraged; telephonic presentations are acceptable. Applicants will be asked to submit a PowerPoint presentation (or equivalent) to MBDA that addresses the oral presentation criteria set forth above. The presentation must be submitted at least 24 hours before the scheduled date and time of the presentation. The presentation will be made to the MBDA National Director (or his/her designee) and up to three senior MBDA staff who did not serve on the original review panel. The oral panel members may ask follow-up questions after the presentation. MBDA will provide the teleconference dial-in number and pass code. Each applicant will present to MBDA staff only; competitors are not permitted to listen (and/or watch) other presentations.

All costs pertaining to this presentation shall be borne by the applicant. MBEC award funds may not be used as a reimbursement for this presentation. MBDA will not accept any requests or petitions for reimbursement.

The oral panel members shall score each presentation in accordance with the oral presentation criterion provided above. An average score shall be compiled and added to the score of the original panel review.

### 4. Final Recommendation

The MBDA National Director makes the final recommendation to the Grants Officer regarding the funding of one application under this competitive

solicitation. MBDA expects to recommend for funding the highest ranking application, as evaluated and recommended by the review panel and taking into account oral presentations (as applicable). However, the MBDA National Director may not make any selection, or he/she may select an application out of rank order for the following reasons:

(a) A determination that an application better addresses one or more of the funding priorities for this competition. The National Director (or his/her designee) reserves the right to conduct one or more site visits (subject to the availability of funding), in order to make a better assessment of an applicant's capability to achieve the funding priorities; or

(b) The availability of MBDA funding. Prior to making a final recommendation to the Grants Officer, MBDA may request that the apparent winner of the competition provide written clarifications (as necessary) regarding its application.

**Authority:** 15 U.S.C. Section 1512 and Executive Order 11625.

*Catalog of Federal Domestic Assistance (CFDA):* 11.800, Minority Business Enterprise Centers.

*Intergovernmental Review:* Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

*Limitation of Liability:* Funding for the program listed in this notice is contingent upon the availability of FY 2009 appropriations. MBDA issues this notice subject to the appropriations made available under the current continuing resolution, H.R. 2638, "Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009," Public Law 110-329. In no event will MBDA or the Department of Commerce be responsible for proposal preparation costs if the MBEC Program fails to receive funding or is cancelled because of Department of Commerce or MBDA priorities. All funding periods under the award are subject to the availability of funds to support the continuation of the project. Publication of this notice does not obligate MBDA or the Department of Commerce to award any specific project or to obligate any available funds.

*Universal Identifier:* Applicants should be aware that they will be required to provide a Dun and Bradstreet Data Universal Numbering system (DUNS) number during the application process. See the June 27, 2003 **Federal Register** notice (68 FR 38402) for additional information.

Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 or by accessing the Grants.gov Web site at <http://www.Grants.gov>.

*Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements:* The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of February 11, 2008 (73 FR 7696) 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 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provisions 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 Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.

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

*Administrative Procedure Act/Regulatory Flexibility Act:* Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act for rules concerning public property, loans, grants, benefits, or contracts (5 U.S.C. 533(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 533 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 is not required and has not been prepared.

Dated: January 16, 2009.

**Edith J. McCloud,**

*Associate Director for Management, Minority Business Development Agency.*

[FR Doc. E9-1525 Filed 1-23-09; 8:45 am]

**BILLING CODE 3510-21-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XL79**

### Marine Mammals; File No. 87-1591

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that Daniel P. Costa, Ph.D., Department of Biology and Institute of Marine Sciences, University of California, Santa Cruz, CA 95064 has been issued an amendment to Permit No. 87-1851-00.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

**FOR FURTHER INFORMATION CONTACT:**

Amy Sloan or Tammy Adams, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On November 18, 2008, notice was published in the **Federal Register** (73 FR 68416) that a request for an amendment to scientific research Permit No. 87-1851-00 had been submitted by the above-named individual. The requested amendment has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The amended permit (No. 87-1851-01) expands the study area for tagging studies and physiological research on Antarctic seals to include the Weddell Sea. The permit amendment expires on January 31, 2012.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: January 14, 2009.

**P. Michael Payne,**

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

[FR Doc. E9-1518 Filed 1-23-09; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XM91**

**Mid-Atlantic Fishery Management Council (MAFMC); Meetings**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council), its Protected Resources Committee, its Annual Catch Limit/Accountability Measures (ACL/AM) Committee, its Law Enforcement Committee, its Research Set-Aside (RSA) Committee, its Ecosystems/Ocean Planning Committee, its Surfclam/Ocean Quahog Committee, its Squid, Mackerel, Butterfish Committee, and its Executive Committee will hold public meetings.

**DATES:** Wednesday, February 11, 2009 through Friday, February 13, 2009. On Wednesday, February 11 the Protected Resources Committee with its Advisors will meet from 8:30 a.m. until 10:30 a.m. The ACL/AM Committee will meet from 10:30 a.m. until noon. The Law Enforcement Committee will meet from 1:00 p.m. until 2:30 p.m. The RSA Committee will meet from 2:30 p.m. until 4:00 p.m. The Ecosystems/Ocean Planning Committee will meet from 4:00 p.m. until 5:30 p.m. There will be a scoping session for Amendment 14 to the Surfclam/Ocean Quahog FMP on Wednesday evening from 7:00 p.m. until 9:00 p.m.

On Thursday, February 12 the Surfclam/Ocean Quahog Committee will meet from 8:00 a.m. until 9:00 a.m. The Squid, Mackerel, Butterfish Committee will meet from 9:00 a.m. until 10:00 a.m. The Council will convene at 10:00 a.m. and from 10:00 a.m. until 11:00 a.m. will conduct its regular business session and receive organizational reports. From 11:00 a.m. until noon, the Council will receive a report regarding annual discards for 2008 and standardized bycatch reporting methodology prioritization for 2009. From 1:00 p.m. until 1:15 p.m. there will be an award presentation and recognition. From 1:15 p.m. until 2:00 p.m. the Council will receive a report on the Northeast Data Poor Stocks Workshop. From 2:00 p.m. until 5:30 p.m. there will be a public workshop on reducing butterfly bycatch in the Loligo fishery. On Friday, February 13 the Executive Committee will meet from 9:00 a.m. until 10:00 a.m. From 10:00

a.m. until noon the Council will receive a report on Status of Fishery Management Plans, the Executive Director's Report, Committee Reports, Liaison Report and discuss any continuing and new business.

**ADDRESSES:** Seaview Marriott Resort and Spa, 401 South New York Road, Galloway, NJ 08205; telephone: 609-652-1800.

*Council Address:* Mid-Atlantic Fishery Management Council, 300 S. New St., Room 2115, Dover, DE 19904; telephone: 302-674-2331.

**FOR FURTHER INFORMATION CONTACT:**

Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: 302-674-2331 ext. 19.

**SUPPLEMENTARY INFORMATION:** Agenda items by day for the Council's Committees and the Council itself are: Wednesday, February 11 - the Protected Resources Committee with Advisors will discuss an industry request to modify the Bottle Nose Dolphin Take Reduction Team (TRT) Plan by adding one month to the current "tending requirement" period for medium gillnet fisheries and review and discuss Atlantic Trawl TRT strategy for pilot whales and common dolphin. The ACL/AM Committee will review and discuss the NMFS' Final Rule on ACL/AM, review and discuss table of current Council control rules, and address the action plan and associated timeline for implementation. The Law Enforcement Committee will discuss regulatory implications of transfer-at-sea authorizations, discuss regulatory implication of monitoring other than a daily trip limit in party/charter boat fisheries, and address implication of Maine's study/report on fixed gear vertical line locations and densities. The RSA Committee will convene a public fact finding and receive comments on the Council's RSA program. The Ecosystems/Ocean Planning Committee will receive a report on the Northeast Fisheries Science Center's (NEFSC) recent efforts regarding development of an ecosystem based approach to fishery management and develop the Committee's work plan for 2009. An evening scoping session for Amendment 14 to the Surfclam/Ocean Quahog FMP will be held to solicit the public's ideas about needed changes to the FMP.

Thursday, February 12 - the Surfclam/Ocean Quahog Committee will review and discuss scoping comments to decide and adopt management measures to be included in Amendment 14. The Squid, Mackerel, and Butterfish Committee will review and discuss the outcome of the January Committee