

species or stock of ringed, bearded, and spotted seals is expected to be negligible for the following reasons:

(1) The proposed activity would only occur in a small area which supports a small proportion (<0.1 percent) of the ringed seal populations in the Beaufort Sea. The numbers of bearded and spotted seals within the proposed project area is expected to be even lower than that of ringed seals.

(2) The following mitigation and monitoring procedures will be implemented: (a) using trained seal lair sniffing dogs to conduct pre-operational survey and monitoring of ringed seal lairs and breathing holes within the proposed action area; (b) conducting activities as far away from any observed seal structures as possible; (c) establishing safety zone based on isopleth of 190 dB<sub>rms</sub> re: 1 microPa and (d); monitoring safety zones during operations of airgun and impact sources by a trained MMO, and soft-start (ramp-up) procedure when initiating airgun.

As a result, NMFS believes the effects of on-ice geophysical R&D program are expected to be limited to short-term and localized behavioral changes involving relatively small numbers of ringed seals, and may also potentially affect any bearded and spotted seals in the vicinity. NMFS has preliminarily determined, based on information in the application and supporting documents, that these changes in behavior will have no more than a negligible impact on the affected pinniped species and populations within the proposed action area. Also, the potential effects of the proposed on-ice geophysical project during 2007 will not have an unmitigable adverse impact on subsistence uses of these species.

#### Proposed Authorization

NMFS proposes to issue an IHA to SOI for conducting on-ice geophysical R&D program in the U.S. Beaufort Sea, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed activity would result in the harassment of small numbers of ringed seals, and potentially any bearded and spotted seals in the vicinity; would have no more than a negligible impact on the affected pinniped species and stocks; and would not have an unmitigable adverse impact on the availability of seals for subsistence uses.

Dated: January 31, 2007.

**James H. Lecky,**

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

[FR Doc. E7-1875 Filed 2-5-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Draft Framework for Developing the National System of Marine Protected Areas

**AGENCY:** National Ocean Service, NOAA, Department of Commerce.

**ACTION:** Extension of Public Comment Period on the Draft Framework for Developing the National System of Marine Protected Areas.

**SUMMARY:** The Department of Commerce published a notice in the **Federal Register** on September 22, 2006 (71 FR 55432) announcing a 145-day public comment period on the Draft Framework for Developing the National System of Marine Protected Areas (Draft Framework). Copies of the Draft Framework can be requested via the contact information below or downloaded from <http://www.mpa.gov>. The deadline for public comment on the draft Framework is hereby extended.

**DATES:** The extended deadline for public comment on the draft Framework is 11:59 p.m. Eastern Time on February 28, 2007.

**ADDRESSES:** Comments should be sent to Joseph Uravitch, National Oceanic and Atmospheric Administration, National Marine Protected Areas Center, 1305 East West Highway, N/ORM, Silver Spring, MD 20910. Fax: (301) 713-3110. E-mail: [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov). Comments will be accepted in written form by mail, e-mail, or fax.

**FOR FURTHER INFORMATION CONTACT:** Refer to the **Federal Register** notice of September 22, 2006, or contact Jonathan Kelsey at (301) 563-1130, or via e-mail at [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov).

Dated: January 31, 2007.

**David M. Kennedy,**

*Director, Office of Ocean and Coastal Resource Management.*

[FR Doc. E7-1896 Filed 2-5-07; 8:45 am]

**BILLING CODE 3510-08-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Legal Processes

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The United States Patent and Trademark Office (USPTO), 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 the continuing information collection, 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 April 9, 2007.

**ADDRESSES:** You may submit comments by any of the following methods:

- *E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov). Include "0651-0046 comment" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan Brown.

- *Mail:* Susan K. Brown, Records Officer, Office of the Chief Information Officer, Architecture, Engineering and Technical Services, Data Architecture and Services Division, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Shirley Hassan, Office of General Law, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-3000; or by e-mail at [Shirley.Hassan@uspto.gov](mailto:Shirley.Hassan@uspto.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The purpose of this collection is to cover information requirements related to civil actions and claims involving current and former employees of the United States Patent and Trademark Office (USPTO). The rules for these legal processes may be found under 37 CFR Part 104, which outlines procedures for service of process, demands for employee testimony and production of documents in legal proceedings, reports of unauthorized testimony, employee indemnification, and filing claims against the USPTO under the Federal Tort Claims Act (28 U.S.C. 2672) and the corresponding Department of Justice regulations (28 CFR Part 14). The public may also petition the USPTO Office of General Counsel under 37 CFR 104.3 to waive or suspend these rules in extraordinary cases.

The procedures under 37 CFR Part 104 ensure that service of process intended for current and former employees of the USPTO is handled properly. The USPTO will only accept service of process for an employee acting in an official capacity. This

collection is necessary so that respondents or their representatives can serve a summons or complaint on the USPTO, demand employee testimony and documents related to a legal proceeding, or file a claim under the Federal Tort Claims Act. Respondents may also petition the USPTO to waive or suspend these rules for legal processes. This collection is also necessary so that current and former USPTO employees may properly forward service and demands to the Office of General Counsel, report unauthorized testimony, and request indemnification. The USPTO covers current employees as respondents under this information collection even though their responses do not require approval under the Paperwork Reduction Act. In those instances where both current and former employees may respond to the USPTO, the agency estimates that the number of respondents will be small.

There are no forms provided by the USPTO for this collection. For filing claims under the Federal Tort Claims Act, the public may use Standard Form

95 "Claim for Damage, Injury, or Death," which is provided by the Department of Justice and approved by the Office of Management and Budget (OMB) under OMB Control Number 1105-0008.

## II. Method of Collection

By mail or hand delivery to the USPTO.

## III. Data

OMB Number: 0651-0046.

Form Number(s): None.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households; businesses or other for-profits; not-for-profit institutions; and the Federal Government.

Estimated Number of Respondents: 176 responses per year.

Estimated Time Per Response: The USPTO estimates that it will take the public from 5 minutes (0.08 hours) to 1 hour to gather the necessary information, prepare the appropriate documents, and submit the information required for this collection.

Estimated Total Annual Respondent Burden Hours: 31 hours per year.

Estimated Total Annual Respondent Cost Burden: \$9,189 per year. The USPTO expects that the information in this collection will be prepared by attorneys and former employees, except for the requests for employee indemnification, which generally come from professional and supervisory staff. Since many of the former employees affected by this collection are attorneys, the attorney rate will be used for former employees as well. Using the professional rate of \$304 per hour for associate attorneys in private firms, the USPTO estimates that the respondent cost burden for attorneys and former employees submitting the information in this collection will be \$9,120 per year. Using the estimate of \$69 per hour for professional and supervisory staff, the USPTO expects that the respondent cost burden for submitting requests for employee indemnification will be \$69 per year. Therefore, the respondent cost burden for this collection will be \$9,189 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Petition to Waive Rules .....	30 minutes .....	7	4
Service of Process .....	5 minutes .....	130	10
Forwarding Service .....	10 minutes .....	7	1
Employee Testimony and Production of Documents in Legal Proceedings.	30 minutes .....	18	9
Forwarding Demands .....	10 minutes .....	7	1
Report of Unauthorized Testimony .....	30 minutes .....	1	1
Report of Possible Indemnification Cases .....	30 minutes .....	3	2
Employee Indemnification .....	30 minutes .....	1	1
Tort Claims .....	1 hour .....	2	2
Total .....	.....	76	31

Estimated Total Annual Non-hour Respondent Cost Burden: \$2,013 per year. There are no capital start-up, maintenance, or recordkeeping costs associated with this information collection. However, this collection does have annual (non-hour) costs in the form of filing fees and postage costs.

This collection has filing fees associated with the petition to waive or suspend the legal process rules under 37 CFR 104.3. The filing fee for this petition is \$130, and the USPTO estimates that approximately seven petitions will be filed per year for a total filing cost of \$910. There are no other filing fees associated with this information collection.

Customers may incur postage costs when submitting the information in this collection to the USPTO by mail. The USPTO estimates that the average first-

class postage for a mailed submission, other than a Service of Process, will be 52 cents and that up to 46 of these submissions will be mailed to the USPTO per year, for a postage cost of \$24. The USPTO estimates that the average postage for a Service of Process will be \$8.30 and that up to 130 of these submissions will be mailed to the USPTO per year, for a postage cost of \$1,079. The total estimated postage cost for this collection is \$1,103 per year.

The total non-hour respondent cost burden for this collection in the form of filing fees and postage costs is \$2,013 per year.

## 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, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 30, 2007.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Architecture, Engineering and Technical Services, Data Architecture and Services Division.*

[FR Doc. E7-1871 Filed 2-5-07; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Notice of Open Meeting

**AGENCY:** Office of the Assistant Secretary of Defense (Health Affairs); DoD.

**SUMMARY:** In accordance with section 10(a)(2) of Public Law 92-463, The Federal Advisory Committee Act, announcement is made of the following meeting:

*Name of Committee:* DoD Task Force on Mental Health, a Subcommittee of the Defense Health Board.

*Dates:* February 26, 2007 (Morning—Open Session), February 27, 2007 (Afternoon—Open Session).

*Times:* 0800–1215 hours (26 February) 1530–1730 hours (27 February).

*Location:* DoubleTree Hotel, 300 Army Navy Drive, Arlington, VA 22202.

*Agenda:* The purpose of the meeting is to obtain, review, and evaluate information related to the Mental Health Task Force's congressionally-directed task of assessing the efficacy of mental health services provided to members of the Armed Forces by the Department of Defense. The Task Force members will receive briefings on topics related to mental health concerns among military service members and mental health care delivery. The Task Force will hold a "Town Hall Meeting" session to hear

concerns from the Washington, DC Metro Area Active Duty Military, National Guard and Reserve, and Veterans communities. The Task Force will also meet in administrative session to consider administrative matters.

#### FOR FURTHER INFORMATION CONTACT:

Colonel Roger Gibson, Executive Secretary, Defense Health Board, Skyline One, 5205 Leesburg Pike, Suite 810, Falls Church, VA 22041, (703) 681-3279, ext. 123.

**SUPPLEMENTARY INFORMATION:** The morning session on February 26, and the afternoon session on February 27, 2007 will be open to the public in accordance with Section 552b(b) of Title 5, U.S.C., specifically subparagraph (1) thereof and Title 5, U.S.C., appendix 1, subsection 10(d). Open sessions of the meeting will be limited by space accommodations. Any interested person may attend, and submit matters to the Board's point of contact for consideration by the Board. All comments must be received no later than 5 business days prior to the Board meeting.

Dated: January 30, 2007.

**C.R. Choate,**

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

[FR Doc. 07-500 Filed 2-5-07; 8:45 am]

**BILLING CODE 5001-06-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Revised Non-Foreign Overseas Per Diem Rates

**AGENCY:** DoD, Per Diem, Travel and Transportation Allowance Committee.

**ACTION:** Republication of Revised Non-Foreign Overseas Per Diem Rates to Civilian Bulletin 251.

**SUMMARY:** The Per Diem, Travel and Transportation Allowance Committee is re-publishing Civilian Personnel Per Diem Bulletin Number 251 to correct an error in the Per Diem rate published on January 26, 2007 (72 FR 3799). This bulletin lists revisions in the per diem rates prescribed for U.S. Government employees for official travel in Alaska, Hawaii, Puerto Rico, the Northern Mariana Islands and Possessions of the United States. AEA changes announced in Bulletin Number 194 remain in effect. Bulletin Number 251 is being published in the **Federal Register** to assure that travelers are paid per diem at the most current rates.

**EFFECTIVE DATE:** February 1, 2007.

**SUPPLEMENTARY INFORMATION:** This document gives notice of revisions in per diem rates prescribed by the Per Diem Travel and Transportation Allowance Committee for non-foreign areas outside the continental United States. It supersedes Civilian Personnel Per Diem Bulletin Number 250. Distribution of Civilian Personnel Per Diem Bulletins by mail was discontinued. Per Diem Bulletins published periodically in the **Federal Register** now constitute the only notification of revisions in per diem rates to agencies and establishments outside the Department of Defense. For more information or questions about per diem rates, please contact your local travel office. The text of the Bulletin follows:

Dated: January 30, 2006.

**C.R. Choate,**

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

**BILLING CODE 5001-06-M**