

26, 1999, to notify FMS of its determination. The revocation is effective thirty (30) days from the date of publication of this notice. Any person aggrieved by this decision may appeal to an appropriate U.S. district court within 30 days from the date on which this notice is published in the **Federal Register** (325.10(c) (4) and 325.11 of the regulations, 15 CFR 324.10(c) (4) and 325.11 of the regulations, 15 CFR 325.10(c) (4) and 325.11).

Dated: May 26, 1999.

**Morton Schnabel,**

*Director, Office of Export Trading Company Affairs.*

[FR Doc. 99-13813 Filed 5-28-99; 8:45 am]

BILLING CODE 3510-DR-U

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of revocation of Export Trade Certificate of Review No. 84-00015.

**SUMMARY:** The Secretary of Commerce issued an export trade certificate of review to AEON International Corporation. Because this certificate holder has failed to file an annual report as required by law, the Secretary is revoking the certificate. This notice summarizes the notification letter sent to AEON International Corporation.

**FOR FURTHER INFORMATION CONTACT:** Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 ("the Act") (Pub. L. 97-290, 15 U.S.C. 4011-21) authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing Title III ("the Regulations") are found at 15 CFR part 325 (1996). Pursuant to this authority, a certificate of review was issued on July 16, 1984 to AEON International Corporation.

A certificate holder is required by law to submit to the Department of Commerce annual reports that update financial and other information relating to business activities covered by its certificate (section 308 of the Act, 15 U.S.C. 4018, § 235.14 (a) of the Regulations, 15 CFR 325.14 (a)). The annual report is due within 45 days after the anniversary date of the

issuance of the certificate of review (§ 325.14 (b) of the regulations, 15 CFR 325.14 (b)). Failure to submit a complete annual report may be the basis for revocation (§§ 325.10(a) and 325.14(c) of the Regulations, 15 CFR 325.10(a) (3) and 325.14(c)).

On July 6, 1998, the Department of Commerce sent to AEON International Corporation a letter containing annual report questions with a reminder that its annual report was due on August 30, 1999. Additional reminders were sent on September 15, 1998, and on October 13, 1998. The Department has received no written response from AEON International Corporation to any of these letters.

On December 10, 1998, in accordance with § 325.10 (c) (2) of the Regulations, a letter was sent by certified mail to notify AEON International Corporation that the Department was formally initiating the process to revoke its certificate for failure to file an annual report. A summary of that letter was published in the **Federal Register** (63 FR 69266) on December 16, 1999 allowing thirty days for a response.

Pursuant to 325.10(c) (2) of the regulations (15 CFR 325.10(c) (2)), the Department considers the failure of AEON International Corporation to respond to be an admission of the statements contained in the notification letter.

The Department has determined to revoke the certificate issued to Trust International Services Company, Inc. for its failure to file an annual report. The Department has sent a letter, dated April 29, to notify AEON International Corporation of its determination. The revocation is effective thirty (30) days from the date of publication of this notice. Any person aggrieved by this decision may appeal to an appropriate U.S. district court within 30 days from the date on which this notice is published in the **Federal Register** 325.10(c) (4) and 325.11 of the Regulations, 15 CFR 324.10(c) (4) and 325.11 of the Regulations, 15 CFR 325.10(c) (4) and 325.11.

Dated: May 25, 1999.

**Morton Schnabel,**

*Director, Office of Export Trading Company Affairs.*

[FR Doc. 99-13814 Filed 5-28-99; 8:45 am]

BILLING CODE 3510-DR-U

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket No. 990517136-9136-01]

RIN 0693-ZA30

#### Community Alliance for Math, Science and Technology Literacy (CASTL)

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Invitation for proposals to establish pilot programs partnering local school boards and businesses for enhanced professional development of K-12 math, science and technology teachers.

**SUMMARY:** This notice is to invite proposals from local educational agencies (LEAs) or non-profit organizations acting on their behalf to participate in the CASTL program. This pilot program will partner local school boards, non-profit educational organizations, and the local business community to develop and conduct innovative professional development activities for K-12 math, science and technology teachers. A community based effort will create new professional development activities to help increase teacher recruitment and retention, assist teachers in developing hands-on workplace-based math, science and technology curriculum, and increase communication between the educational and business enterprises. It is anticipated that ten awards will be made in fiscal year 1999 affecting teachers employed as of September 1999. Seed funding for the pilot program will focus on urban and rural statistical areas, and other areas identified as requiring special assistance in promoting math, science and technology education. Applications must be prepared by a partnership between the LEA and the business and/or research communities.

**DATES:** Applications must be received at the address below no later than 5 p.m., Eastern Standard Time on July 1, 1999, in order to be considered for the Fiscal Year 1999 awards. Late applications will be rejected and returned to the sender. Applications which have been provided to a delivery service will be accepted for review if the applicant can document that the application was provided to the delivery service by June 30, 1999, with delivery to the address listed below guaranteed prior to the closing date and time. Applications will not be accepted via facsimile machine transmission or electronic mail.

**ADDRESSES:** Applicants must submit one signed original plus two (2) copies of the proposal along with the required forms (Refer to "Application Forms" section) to: CASTL Program Coordinator; Division 109; National Institute of Standards and Technology; 100 Bureau Drive, Stop 1090; Gaithersburg, MD 20899-1090.

**FOR FURTHER INFORMATION CONTACT:**

Dr. Jack Hsia, Program Coordinator, telephone (301) 975-3067, or e-mail jack.hsia@nist.gov.

**SUPPLEMENTARY INFORMATION:**

**Authority**

This program is an implementation of section 7 of the Technology Administration Act of 1998 (Pub. L. 105-309), codified at section 19a of the NIST Act, as amended (15 USC 278g-2a). This statute authorizes the National Institute of Standards and Technology (NIST) to establish a teacher science and technology enhancement program to provide for the professional development of mathematics and science teachers of elementary, middle, and secondary schools, including providing for the improvement of these teachers with respect to the understanding of science and the impact of science on commerce. Under section 278g-2a(e), NIST may use means it deems appropriate to accomplish the goals of the program. The CASTL program accomplishes the statutory goals because it will allow K-12 teachers to experience firsthand how math, science, and technology impact commerce. This will both enhance teachers' professional development and enable teachers to incorporate these experiences into their math, science, and technology curricula. A community based effort will create new professional development activities to help increase teacher recruitment and retention, assist teachers in developing hands-on workplace-based math, science and technology curriculum, and increase communication between the educational and business enterprises, consistent with the statutory goals.

**Program Description**

The National Institute of Standards and Technology (NIST) wishes to initiate a pilot program partnering local school boards and businesses to foster high quality K-12 education through enhanced professional development of K-12 math, science and technology teachers. Together, the school board and the local businesses are expected to leverage their collected strengths to develop and implement a program to increase teachers' understanding of

math, science and technology and to assist them in development of innovative curriculum. Businesses will provide on-site opportunities for teachers to experience hands-on inquiry based learning and workplace based application of math, science and technology skills. This partnership is expected to commit to providing at least 4 years of support for the teachers. The pilot program is expected to complement existing reform and professional development activities.

Enhanced professional development is expected to increase the hiring and retention rates for math, science and technology teachers. Experiences in the workplace will provide opportunities for teachers to develop innovative teaching methods reflecting real-world experience of math, science and technology. As teachers develop a greater understanding and comfort with the foundations and applications of math and science, they are better able to pass along such an understanding to their students. Students are anticipated to graduate with an increased understanding about the application of and excitement for math and science, leading to an increase in the overall scientific literacy of society. Local businesses and the overall community are expected to benefit from students better prepared for jobs in the technology-based industries that contribute more than half the nation's economic growth.

Using a relatively small amount of federal seed money, local school board in ten pilot program sites will implement the pilot program. The pilot program will directly impact only a tiny fraction of the 15,000 independent school districts nationwide. However, these pilot programs are anticipated to provide models that can be adopted by communities and businesses nationwide. Successful demonstration and refinement of the pilot program will be followed by dissemination of the model across the nation, with relatively little additional federal funding required (local communities and businesses will assume the bulk of the expenses after successful demonstration of the pilot program). Thus a small federal investment is leveraged into substantial nationwide results.

**Background Information**

Advances in technology fuel at least one half of the economic growth of the U.S. and the industrialized nations, and this fraction is expected to continue to increase in the next century. However, industry and government leaders identify the shortage of employees with adequate science and mathematics

skills, at all levels, as a major impediment to continued national economic growth. International studies such as the recently reported Third International Mathematics and Science Study show U.S. K-12 students performing near the bottom of industrialized nations in tests of science and math knowledge. To maintain and improve U.S. economic competitiveness and provide opportunities for all citizens, the quality of science and math education in the United States must be significantly increased.

Improving science and math education is a complex problem requiring many different approaches. Many governmental and non-governmental organizations are each contributing towards the solution. The goal of this pilot program is to enhance the professional development of U.S. science and technology teachers through education-business partnership. It is expected that proper professional and financial support of science and math teachers will immediately increase successful recruitment and retention of qualified new science and math teachers, and will eventually lead to increases enrollment of teaching students specializing in science and math as the greater opportunities become known.

**Business-Education Partnership**

This pilot program will create a partnership between the local school board and the local business community to develop and implement enhanced professional development for K-12 math, science and technology teachers. Goals and outcomes of the pilot program should include the following elements:

- Increase teachers' understanding about the application of any excitement for math and science.
- Provide specialized professional development for K-12 math, science and technology teachers, aiming to reach needs of teachers of all grades.
- Increase teacher recruitment and/or retention rates.
- Integrate insight of the business/research community into new curriculum elements.
- Investigate creating an infrastructure for a sustainable program.
- Maximize atmosphere for teacher learning and creativity.

Local business partners may include industrial firms, corporations employing technology, research institutions and other organizations which can provide teachers experience with real-world based application of math, science and technology.

This pilot program may incorporate a range of activities depending on the

needs of the community. Funds are intended to supplement the work of the LEA, not the business or community partners. The objectives include:

- Collecting data regarding the needs of math, science, and technology teachers in the school district,
- Integrating several existing professional development programs into a single, coordinated effort,
- Providing staff time for teachers to develop and implement new curriculum changes resulting from pilot program and/or participate in cohort groups of pilot program participants,
- Coordinating with local technical and community colleges,
- Providing alternative certification activities for math, science and technology teachers, and
- Coordinating curriculum elements through grades K-12.

NIST expects each pilot program to directly involve at least 10 teachers in the pilot phase. However, with greater commitment from local businesses, more teachers may be involved. Participating local businesses, possibly through a central organization, will commit to working with the LEA for a minimum of four years. The businesses' contribution must provide teachers hands-on experience with workplace applications of math, science and technology. This exposure will assist teachers in gaining a better understanding of the business' science and technology skill needs and goals. From this experience, the teachers and administrators will work together to translate the experiences into more effective classroom lessons. Students will learn from real-world based examples, increasing their scientific inquiry skills and overall understanding of the use of math, science and technology.

NIST will evaluate the implementation of the pilot programs. Award recipients agree to participate in the evaluation of these pilot programs. This may involve a meeting among all recipients. Each pilot program coordinator is expected to track the progress of the teachers and their hiring and retention rates as part of the evaluation process. Applicants are encouraged to indicate additional evaluation activities they will perform.

#### *Creating the Partnership*

A unique feature of the pilot programs will be the ability of the partnership to tailor the pilot program to best fit local community and schools needs, and best make use of local resources. The 15,000 independent schools districts across the nation represent an enormous diversity in financial resources, student and

community demographics, types of local businesses, and other factors: from inner city urban districts, to affluent suburbs, to geographically extended rural and Indian reservation districts. Attempts at "one size fits all" programs rarely succeed in addressing such a diversity of needs and resources.

The support of locally selected program champions and businesses is vital to pilot program success. A partnership development team led by the local champion will guide and structure a community math and science education and workforce development plan. Team members will represent local school boards, businesses, teachers, students, the public, and other stakeholders who can identify and focus on local needs.

Both the school board and the business community will make commitments to the pilot program. Local school boards must commit to working collaboratively with the businesses. Staff must be allocated time for curriculum development to translate their experiences into classroom lessons and for instructing their colleagues about what they have learned. This time may occur during a summer program and/or as part of regularly scheduled professional development. School boards will integrate this pilot program into existing educational reform efforts. Businesses will commit to participating in the pilot program's development, implementation and support for multiple years. Employees will be allocated time to work with the teachers.

Several Federal departments and agencies have on-going research and programs in the areas of K-12 math, science and technology education. This pilot program will tie into these existing programs when possible, especially if a particular effort is underway in the community. Nationwide programs are being sponsored by the National Science Foundation, the U.S. Department of Education, and the U.S. Department of Labor, among other agencies. Contingent upon success of the pilot program and additional federal and private funding, the program may grow in future years.

#### *Organizational Involvement*

Participation by community and professional organizations heightens the level of community commitment to this pilot program. These organizations lend their resources, knowledge, and experience to the process and help facilitate the creation of partnerships. The partnership development team is encouraged to engage any and all community organizations that will add to the success of the pilot programs.

#### **Funding Availability**

Approximately \$200,000 will be available and it is anticipated that ten awards in the range of up to \$20,000 will be selected to pay the administrative cost for starting the program. The pilot program will be integrated into the community as a self-sustaining activity over time. Based on preliminary results and future NIST appropriations, NIST may provide additional support in future years.

Grant funds may be used only for direct costs of administering this pilot program. Such costs may include salary for one person, excluding benefits. By August 1, 1999 a detailed accounting of all funds is due to the NIST program office at the above address. Any additional costs, including indirect costs, are the responsibility of the educational and business partners.

#### **Award Period**

Funds will be awarded for a 12 month period.

#### **Matching Requirements**

Cost sharing and matching are not required under this pilot program.

#### **Application Forms**

Standard Form (SF) 424, Application for Financial Assistance, SF 424A, SF 424B, and CD-511 shall be used for applying for financial assistance. Awards resulting from this competition will be administered in accordance with 15 CFR part 14, "Uniform Administration Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations" or 15 CFR part 24, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," as applicable; OMB Circular A-21, "Cost Principles for Educational Institutions," or OMB Circular A-122, "Cost Principles for Non-Profit Organizations," or OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments," as applicable; and other award terms and conditions. An application kit may be requested from the contact person at the address listed above. All required forms may be downloaded from the following website: <http://www.rdc.noaa.gov/grants/pdf>.

Proposals may be structured in any way that the applicants believe will best present their proposed project, but should be limited to a maximum of 40 pages. A format that NIST offers for consideration by applicants is as follows:

## Proposal Summary

- I. Executive Summary
- II. Pilot Program Participants
  - List all partnership members identified to date, their contact persons, addresses, telephone numbers and fax numbers. Indicate which members serve on the partnership development team.
- III. Pilot Program
  - Personnel List key pilot program staff, including the principal coordinator.
- IV. Narrative
  - Provide a concise summary (maximum of 10 pages) describing the implementation plan for the pilot program, including:
    - (a) Need assessment
    - (b) Objectives
    - (c) Program implementation
    - (d) Professional development opportunities for participating teachers
    - (e) Relationship to existing school reform efforts
    - (f) Evaluation
- V. Budget Prepare SF-424-A.
- VI. Supporting Materials
  - (a) Required forms
  - (b) Letters of support from partners

## Type of Funding Instrument

NIST expects to award up to 10 grants. This information is provided in the interest of maximum openness of the agency's intent. It is not intended to bind the agency to any specific number of grants.

## Eligibility Criteria

Partnerships between an LEA and the local business and/or research communities are eligible to prepare applications for CASTL grants. An LEA may not submit an application without written commitment from these outside representatives. Applications will only be accepted from an LEA or non-profit administrator acting on behalf of the partnership. An LEA is defined in Title XIV, Part A of the Elementary and Secondary Education Act, as amended, 20 U.S.C. section 8801(18)(A). An LEA is "a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools." An official from the LEA must certify in writing that a third party administrator will act on its behalf with regard to this

project. A principal coordinator must be identified to serve as a point of contact.

## Application Evaluation Criteria

Applications will be evaluated by a panel of at least three independent reviewers who are knowledgeable in the subject matter of this solicitation and its objectives. All applications will be evaluated and scored on the basis of the evaluation criteria delineated below.

1. Local needs assessment. The proposal demonstrates an identifiable need for financial assistance to promote science and math education in the local area. (20 points)
2. The proposal provides specialized professional development for K-12 math, science and technology teachers, which complements existing professional development and/or reform efforts within the school district. (20 points)
3. Identification of an adequate number of relevant business and community partners. (15 points)
4. The proposed activities match the goals of this grant program, including adding to a sustainable infrastructure for community involvement and contribution to the educational system. (15 points)
5. Demonstration of meaningful provisions for academic year follow-up, continued dialogue among participants, and development of new curriculum based on the experience. (15 points)
6. Commitment to program evaluation, including participation in meetings, reporting requirements, and other evaluation criteria. (10 points)
7. Appropriateness of budget. (5 points)

## Selection Procedures

The selection of LEAs to be recommended for an award will be made by Director of the Office of International and Academic Affairs (OIAA) at NIST. In recommending applications for funding, the OIAA Director will take into consideration the results of the evaluations and scores of the independent review panel, geographic distribution of funds, and the selection official's judgment as to which applications, taken as a whole, are likely to best further the goals of the CASTL program. In addition, school districts that represent urban or rural statistical areas as defined by the U.S. Census Bureau or who document needs requiring special assistance in promoting science and math education will be given priority. The final selection of applications and award of cooperative agreements will be made by the NIST Grants Officer.

## Other Requirements

### Federal Policies and Procedures

Recipients and subrecipients are subject to all Federal laws and Federal and DoC policies, regulations, and procedures applicable to Federal financial assistance awards.

### Past Performance

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

### Preaward Activities

If applicants incur any costs prior to an award being made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that may have been received, there is no obligation on the part of DoC/NIST to cover preaward costs.

### Award Payments

Advances shall be limited to the minimum amounts necessary to meet immediate disbursement needs. Advanced funds not disbursed in a timely manner must be promptly returned to the Department of Commerce (DoC). Advances will be approved for periods not to exceed 30 days.

### Budget Changes

When the terms of an award allow the recipient to transfer funds among approved direct cost categories, the transfer authority does not authorize the recipient to create new budget categories within an approved budget unless the Grants officer has provided prior approval.

### Tax Refunds

Refunds of FICA/FUTA taxes received by the Recipient during or after the award period must be refunded or credited to the DoC where the benefits were financed with Federal funds under the award. The Recipient agrees to contact the Grants Officer immediately upon receipt of these refunds. The Recipient further agrees to refund portions of FICA/FUTA taxes determined to belong to the Federal Government, including refunds received after the expiration of the award.

### Other Federal Awards with Similar Programmatic Activities

The Recipient must immediately provide written notification to the Federal Program Officer and the Grants Officer in the event that, subsequent to receipt of the DoC award, other financial assistance is received to support or fund

any portion of the scope of work incorporated into the DoC award. DoC will not pay for costs that are funded by other sources.

#### *No Obligation for Future Funding*

If an application is selected for funding, DoC/NIST has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of DoC/NIST.

#### *Payment of Debts Owed the Federal Government*

Any debts determined to be owned the Federal Government shall be paid promptly by the Recipient. Unless otherwise provided by law, a debt will be considered delinquent if it is not paid within 15 days of the due date. Failure to pay a debt by the due date shall result in the imposition of late payment charges. In addition, failure to pay the debt or establish a repayment agreement by the due date will also result in the referral of the debt for collection action any may result in DoC taking further action as specified in the terms of the award. Payment of a debt must not come from other Federally sponsored programs. Verification that other Federal funds have not been used will be made during future program visits and audits.

#### *Competition and Codes of Conduct for Subawards*

Any subawards must be made in a manner that will provide, to the maximum extent practicable, open and free competition. The Recipient must be alert to organizational conflicts of interest as well as other practices among subrecipients that may restrict or eliminate competition. In order to ensure objective subrecipient performance and eliminate unfair competitive advantage, subrecipients that develop or draft work requirements, statements of work, or requests for proposals shall be excluded from competing for such subawards.

The Recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration subawards. No employee, officer, or agent shall participate in the selection, award, or administration of a subaward supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties mentioned

in this section, has a financial interest or other interest in the organization selected for a subaward. The officers, employees, and agents of the Recipient may not solicit nor accept anything of monetary value from subrecipients. However, the Recipient may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the Recipient.

#### *Subaward and/or Contract to a Federal Agency*

Recipient, subrecipients, contractors, and/or subcontractors shall not sub-grant or sub-contract any part of the approved project to any agency of the DoC and/or other Federal department, agency or instrumentality, without the prior written approval of the Grants Officer.

#### *Name Check Review*

All non-profit and for-profit applicants are subject to a name check review process. Name 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 applicants' management honesty or financial integrity.

#### *Primary Applicant Certifications*

All primary applicants must subject a completed Form CD-511, Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying, and the following explanations are hereby provided:

##### **1. Nonprocurement Debarment and Suspension**

Prospective participants (as defined at 15 CFR part 26, section 105) are subject to 15 CFR part 26, Nonprocurement Debarment and Suspension and the related section of the certification form prescribed above apply;

##### **2. Drug-Free Workplace**

Grantees (as defined at 15 CFR 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;

##### **3. Anti-Lobbying**

Persons (as defined at 15 CFR 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 applicants/bids for cooperative agreements for more than \$100,000; and

##### **4. Anti-Lobbying Disclosures**

Any applicant who 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.

#### *False Statements*

A false statement on an application 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.

#### *Intergovernmental Review*

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

#### *Purchase of American-Made Equipment and Products*

Applicants are hereby notified that they are encouraged, to the greatest practicable extent, to purchase American-made equipment and products with funding provided under this program.

#### *Non-Compliance With Award Provisions*

Failure to comply with any or all of the provisions of the award may be considered grounds for any or all of the following actions: Establishment of an account receivable, withholding payments under any DoC awards to the Recipient, changing the method of payment from advance to reimbursement only, termination of any DoC active awards, and may have a negative impact on future funding by the DoC.

#### *Prohibition Against Assignment by the Recipient*

Notwithstanding any other provision of the award, the Recipient shall not transfer, pledge, mortgage, or otherwise assign the award, or any interest therein, or any claim arising thereunder, to any party or parties, bank trust companies, or other financing or financial institutions.

### *Internal Revenue Service (IRS) Information*

Any Recipient classified for tax purposes as an individual, partnership, proprietorship, corporation, or medical corporation is required to submit a taxpayer identification number (TIN) (either social security number, employer identification number as applicable, or registered foreign organization number) on Form W-9, "Payer's Request for Taxpayer Identification Number." Tax-exempt organizations and corporations (with the exception of medical corporations) are excluded from this requirement. Form W-9 shall be submitted to the Grants Officer within 60 days of the award start date. The TIN will be provided to the IRS by DoC on Form 1099-G, "Statement for Recipients of Certain Government Payments." Recipients who either fail to provide their TIN or provide an incorrect TIN may have funding suspended until the requirement is met.

Disclosure of Recipient's TIN is mandatory for Federal income tax reporting purposes under the authority of 26 USC, section 6011 and 6109(d), and 26 CFR 301.6109-1. This is to ensure the accuracy of income computation by the IRS. This information will be used to identify an individual who is compensated with DoC funds or paid interest under the Prompt Payment Act.

### *Foreign Travel*

Recipients must comply with the provisions of the Fly America Act (49 U.S.C. 40118). The Fly America Act requires that Federal travelers and others performing U.S. Government-financed foreign air travel must use U.S. flag air carriers, to the extent that service by such carriers is available. Foreign air carriers may be used only when a U.S. flag air carrier is unavailable, or use of U.S. flag air carrier service will not accomplish the agency's mission.

### *Freedom of Information Act (FOIA) Disclosure*

To the extent permitted under the FOIA, contents of applications and proposals submitted by successful applicants may be released in response to FOIA requests.

### *Executive Order 12866*

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

### *Paperwork Reduction Act*

This Notice involves collections of information subject to the Paperwork reduction Act (PRA), which have been

approved by the Office of Management and Budget (OMB) under OMB Control Numbers 0348-0043, 0348-0044, 0348-0040 and 0348-0046. Notwithstanding, any other provisions of law no person is required to respond to nor shall a 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 displays a current valid OMB Control number.

### *Catalog of Federal Domestic Assistance*

These awards fall under Catalog of Federal Domestic Assistance Program No. 11.609.

Dated: May 24, 1999.

**Karen H. Brown,**

*Deputy Director.*

[FR Doc. 99-13690 Filed 5-28-99; 8:45 am]

BILLING CODE 3510-13-M

## DEPARTMENT OF COMMERCE

### **National Oceanic and Atmospheric Administration**

#### **Whale Watch Guidelines**

[I.D.052499D]

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

**ACTION:** Notice of Availability of Revised Whale Watch Guidelines for Vessel Operations in the Northeastern United States.

**SUMMARY:** The National Marine Fisheries Service Northeast Region (NMFS/NER) has, in coordination with the Northeast Recovery Plan Implementation Team, revised the operational guidelines for all vessels engaged in whale watching in the northeastern United States. The revised guidelines address concerns about the possibility of whale watch vessels colliding with whales. NMFS/NER, which first developed whale watching guidelines in 1985, has revised the guidelines to provide specific vessel speed recommendations, decrease the number of vessels that should be in close proximity to whales, and recommend the use of lookouts when entering or departing known whale aggregation areas.

**ADDRESSES:** Copies of the new guidelines are available by writing or calling either Douglas Beach, NMFS, One Blackburn Dr., Gloucester, MA 01930, 978/281-9254; or Anne Smrcina, NOS, Stellwagen National Marine Sanctuary, 175 Edward Foster Rd., Scituate, MA 02066, 781/545-8026.

### **FOR FURTHER INFORMATION CONTACT:**

Doug Beach, NMFS, Northeast Region 978/281-9254; or Anne Smrcina, NOS, Stellwagen Bank National Marine Sanctuary 781/545-8026.

**SUPPLEMENTARY INFORMATION:** Whale watch vessel operators seek out areas where whales concentrate, which has led to numbers of vessels congregating around groups of whales, and thereby increased the potential for harassment, injury or death of these animals. NMFS Northeast Region has attempted to address this situation with a combination of enforcing the Endangered Species Act (ESA) Section 9 prohibitions against taking listed species, promulgating regulations limiting approaches to right whales to 500 yards, and issuing operational guidelines in 1985 to give vessel operators guidance on how to approach large whales without causing harassment. However, since the guidelines were first issued, the increase in numbers and overall speed of vessels operating in whale high use areas has raised the risk of collision with whales, as evidenced by two collisions with whales that occurred during the summer of 1998. The Northeast Recovery Plan Implementation Team, which works to implement the ESA Right Whale and Humpback Whale Recovery Plans, established a Whale Watch Advisory Group (WWAG) under its Ship Strike Sub-Committee to look into appropriate measures to address this increasing threat to whales. The WWAG came up with revisions to the existing guidelines that would address the issue. NMFS has revised the guidelines to incorporate the recommendations of the WWAG.

The revised guidelines include several measures intended to decrease the likelihood of future adverse interactions with whales, such as collisions. The previous guidelines, for instance, included a circular Whale Awareness Zone that extended one-quarter mile from any observed whale. The new awareness zone in the revised guidelines extends two miles from any observed whale. The new guidelines recommend specific speed limits for vessels approaching or departing from whales and further recommend the posting of a dedicated lookout to keep track of all whales in the area and to advise the vessel operator of their location when entering or leaving whale watching areas.

The U.S. Coast Guard (USCG) Auxiliary has established a program to monitor the effectiveness of the revised whale approach guidelines, and will deploy trained observers aboard vessels owned by a number of commercial