

or BSAI to minimize catch of prohibited species and, with the exception of salmon which has a 100 percent retention requirement, discard all PSC at sea with a minimum of injury (note that halibut would already be exempt due to the Prohibited Species Donation Program).

The requested exemption from the following regulation would allow the EFP to fully test the use of EM as a compliance monitoring tool for ensuring that no salmon are discarded at sea:

- The regulation at 50 CFR 679.51(a)(2) that requires a CV directed fishing for pollock in the BS to carry an observer at all times.

The EFP applicants requested an exemption from the following regulation in order to provide critical flexibility at the shoreside plant as the EFP applicants work to coordinate the necessary number of shoreside observers under all potential EM delivery scenarios, especially under the first year of the EFP.

- The regulation at 50 CFR 679.51(a)(2) (iii) that states the time required for an observer to complete sampling, data recording, and data communication duties may not exceed 12 consecutive hours in each 24-hour period.

#### *Permit Conditions, Review, and Effects*

If the proposed EFP is granted, required vessel information for participating CVs and tender vessels, as well as shoreside processors for the BS and GOA and WGOA components, would be provided to NMFS prior to the start of EFP fishing for 2020.

The EFP permit holders would be required to be submit to NMFS a written interim report prior to the first 2021 Council meeting and a final report prior to the first 2022 Council Meeting for review and consideration by the NMFS Alaska Region and the Council. These reports would address the four objectives of the EFP noted in the Exempted Fishing Permit section of this notice. The report would include an analysis of the metrics listed in the EFP application to evaluate the success of the EFP in achieving the objectives of the EFP and the Council's EM Cooperative Research Plan as a compliance monitoring tool in the BS and GOA pollock trawl CV fisheries. The evaluation of success in meeting those objectives using those metrics would include a seasonal component to provide a broader overview of the resulting behaviors of participating vessels. Data and information from the 2019 NFWF Pilot Study would be used as a baseline for comparison between EM and observer monitoring. These

reports would inform future Council analyses in consideration of implementing EM aboard pelagic pollock CVs in the BS and GOA as a compliance monitoring tool in these fisheries.

The data collection conducted under this EFP is not expected to have a significant impact on the human environment as detailed in the categorical exclusion prepared for this action (see **ADDRESSES**). Fishing operations (area fished, effort, gear used) are not expected to change under the proposed EFP, and current fishing strategies and practices are expected to continue. Impacts to the biological and physical environment are not expected to change and will likely be similar to those realized under current fishing operations. No additional groundfish or PSC (salmon, halibut, crab, or herring) is being requested as part of this EFP application.

In accordance with § 679.6, NMFS has determined that the application warrants further consideration and has forwarded the application to the Council to initiate consultation. The Council is scheduled to consider the EFP application during its October 2019 meeting, which will be held at the Land's End Resort, Homer, AK. The EFP application will also be provided to the Council's Scientific and Statistical Committee for review at the October Council meeting. The applicant has been invited to appear in support of the application.

#### **Public Comments**

Interested persons may comment on the application at the October 2019 Council meeting during public testimony or until October 9, 2019. Information regarding the meeting is available at the Council's website at <https://www.npfmc.org>. Copies of the application and categorical exclusion are available for review from [Regulations.gov](https://www.regulations.gov) (see **ADDRESSES**).

Comments also may be submitted directly to NMFS (see **ADDRESSES**) by the end of the comment period (see **DATES**).

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 18, 2019.

**Jennifer M. Wallace,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## **DEPARTMENT OF COMMERCE**

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

#### **Submission for OMB Review; Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* NOAA Teacher at Sea Application.

*OMB Control Number:* 0648-0283.

*Form Number(s):* NOAA Form 57-10-01.

*Type of Request:* Regular submission (revision and extension of a currently approved information collection).

*Number of Respondents:* 375.

*Average Hours per Response:*

Application: 1 hr. 15 min;

Recommendations: 15 minutes; NOAA

Health Services Questionnaire and

Tuberculosis Screening Document: 45

minutes; Follow-up Report: 2 hours.

*Burden Hours:* 781.

*Needs and Uses:* Consistent with the support for research and education under the National Marine Sanctuaries Act (16 U.S.C. 32 § 1440) and other coastal and marine protection legislation, NOAA provides educators an opportunity to gain first-hand experience with field research activities through the Teacher at Sea Program. Through this program, educators spend up to 3 weeks at sea on a NOAA research vessel, participating in an ongoing research project with NOAA scientists.

The application solicits information from interested educators, and participants in the program are selected following review of their application. The application includes two recommendation forms: One from the applicant's Administrator and one from a colleague. The NOAA Health Services Questionnaire (NHSQ) and Tuberculosis Screening Document (TSD) is a requirement of anyone going to sea and must be completed by teachers who are selected for the program. Once an educator is selected and participates on a cruise, s/he writes a report detailing the events of the cruise and his/her ideas for classroom activities based on what was learned while at sea. These materials are then made available to other educators so they may benefit from the experience, without actually going to sea. NOAA does not collect

information from this universe of respondents for any other purpose.

The revisions to this collection included updating the miscellaneous costs and correcting the time to complete the NOAA Health Services Questionnaire and Tuberculosis Screening Document to more accurately reflect the correct burden.

*Affected Public:* Individuals or households.

*Frequency:* Annually.

*Respondent's Obligation:* Voluntary.

This information collection request may be viewed at [reginfo.gov](http://reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) or fax to (202) 395-5806.

**Sheleen Dumas,**

*Departmental Lead PRA Clearance Officer,  
Office of the Chief Information Officer,  
Commerce Department.*

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## DEPARTMENT OF EDUCATION

[Docket No.: ED-2019-ICCD-0121]

### Agency Information Collection Activities; Comment Request; Form for Maintenance of Effort Waiver Requests

**AGENCY:** Office of Elementary and Secondary Education (OESE), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

**DATES:** Interested persons are invited to submit comments on or before November 25, 2019.

**ADDRESSES:** To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2019-ICCD-0121. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, ED will temporarily accept comments at [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Please include the docket ID number and the title of the

information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 550 12th Street SW, PCP, Room 9086, Washington, DC 20202-0023.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Todd Stephenson, 202-205-1645.

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Form for Maintenance of Effort Waiver Requests.

*OMB Control Number:* 1810-0693.

*Type of Review:* An extension of an existing information collection.

*Respondents/Affected Public:* State, Local, and Tribal Governments.

*Total Estimated Number of Annual Responses:* 20.

*Total Estimated Number of Annual Burden Hours:* 1,600.

*Abstract:* Section 8521(a) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESEA) provides

that a local educational agency (LEA) may receive funds under Title I, Part A and other ESEA "covered programs" for any fiscal year only if the State educational agency (SEA) finds that either the combined fiscal effort per student or the aggregate expenditures of the LEA and the State with respect to the provision of free public education by the LEA for the preceding fiscal year was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year. This provision is the maintenance of effort (MOE) requirements for LEAs under the ESEA.

If an LEA fails to meet the MOE requirement, under section 8521(b) of the ESEA, the SEA must reduce the amount of funds allocated under the programs covered by the MOE requirement in any fiscal year in the exact proportion by which the LEA fails to maintain effort by falling below 90 percent of either the combined fiscal effort per student or aggregate expenditures, if the LEA has also failed to maintain effort for 1 or more of the 5 immediately preceding fiscal years. In reducing an LEA's allocation because it failed to meet the MOE requirement, the SEA uses the measure most favorable to the LEA.

Section 8521(c) gives the U.S. Department of Education (ED) the authority to waive the ESEA's MOE requirement for an LEA if it would be equitable to grant the waiver due to an exceptional or uncontrollable circumstance such as a natural disaster or a change in the organizational structure of the LEA or a precipitous decline in the LEA's financial resources. If an MOE waiver is granted, the reduction required by section 8521(b) does not occur for that year.

A request for a waiver of the MOE requirement is discretionary. Only an LEA that has failed to maintain effort and that believes its failure justifies a waiver would request one. To review an MOE waiver request, ED relies primarily on expenditure, revenue, and other data relevant to an LEA's request provided by the SEA. To assist an SEA with submitting this information, ED developed an MOE waiver form as part of the 2009 Title I, Part A Waiver Guidance, which covered a range of waivers that ED invited at that time.

The purpose of this collection is to renew approval for the MOE waiver form. This MOE waiver form has been updated to reflect the statutory changes in the ESEA, as amended by the Every Student Succeeds Act. ED believes that the proposed form, which is slightly modified from the currently approved version, will enable an SEA to provide