

Control No. 3038-0022). This is a request for extension of a currently approved information collection.

**Abstract:** Section 5c(c) of the Commodity Exchange Act, 7 U.S.C. 7a-2(c), establishes procedures for registered entities (designated contract markets, registered derivatives transaction execution facilities and registered derivatives clearing organizations) to implement new rules and rule amendments by either seeking prior approval or (for most rules) certifying to the Commission that such rules or rule amendments do not violate the Act or Commission regulations. Rules 40.4, 40.5 and 40.6 implement these statutory provisions.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The Federal Register notice with a 60-day comment period soliciting comments on this collection of information was published on August 5, 2004 (69 FR 47419-01).

**Burden statement:** The respondent burden for this collection is estimated to average .83 hours per response. These estimates include the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** 11,006.

**Estimated number of responses:** 13,118.

**Estimated total annual burden on respondents:** 57 hours.

**Frequency of collection:** On occasion.

Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses listed below. Please refer to OMB Control No. 3038-0022 in any correspondence.

David Van Wagner, Division of Market Oversight, U.S. Commodity futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581; and

Office of Information and Regulatory Affairs, Office of Management and

Budget, Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Dated: October 6, 2004.

**Edward W. Colbert,**

*Deputy Secretary of the Commission.*

[FR Doc. 04-22968 Filed 10-13-04; 8:45 am]

**BILLING CODE 6351-01-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

**DATES:** Consideration will be given to all comments received by November 15, 2004.

**Title, Form, and OMB Number:** Application for former Spouse Payments From Retired Pay; DD Form 2293; OMB Control Number 0730-0008.

**Type of Request:** Revision.

**Number of Respondents:** 23,481.

**Responses Per Respondent:** 1.

**Annual Responses:** 23,481.

**Average Burden Per Response:** 15 minutes.

**Annual Burden Hours:** 5,870.

**Needs and Uses:** Under 10 U.S.C. 1408, State courts may divide military retired pay as property or order alimony and child support payments from that retired pay. The former spouse may apply to the Defense Finance and Accounting Service (DFAS) for direct payment of these monies by using DD Form 2293. This information collection is needed to provide DFAS the basic data needed to process the request.

**Affected Public:** Individuals or households.

**Frequency:** On occasion.

**Respondent's Obligation:** Required to obtain or retain benefits.

**OMB Desk Officer:** Ms. Jacqueline Zeiher.

Written comments and recommendations on the proposed information collection should be sent to Ms. Zeiher at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

**DoD Clearance Officer:** Mr. Robert Cushing.

Written requests for copies of the information collection proposal should

be sent to Mr. Cushing, WHS/ESCD/ Information Management Division, 1225 South Clark Street, Suite 504, Arlington, VA 22202-4326.

Dated: October 5, 2004.

**Patricia L. Toppings,**

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

[FR Doc. 04-22971 Filed 10-13-04; 8:45 am]

**BILLING CODE 5001-06-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission of OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

**DATES:** Consideration will be given to all comments received by November 15, 2004.

**Title and OMB Number:** Defense Federal Acquisition Regulation Supplement (DFARS) Section 223.570, Drug-free work force, and the associated clause at DFARS 252.223-7004; OMB Control Number 0704-0336.

**Type of Request:** Extension.

**Number of Respondents:** 18,012.

**Responses per Respondent:** 1.

**Annual Responses:** 18,012.

**Average Burden per Response:** 48 hours.

**Annual Burden Hours:** 980,096.

**Needs and Uses:** This information collection requires DoD contractors to maintain records regarding drug-free work force programs provided to contractor employees. The information is used to ensure reasonable efforts to eliminate the unlawful use of controlled substances by contractor employees.

**Affected Public:** Businesses or other for profit and not-for-profit institutions.

**Frequency:** Recordkeeping.

**Respondent's Obligation:** Required to obtain or retain benefits.

**OMB Desk Officer:** Ms. Jacqueline Zeiher.

Written comments and recommendations on the proposed information collection should be sent to Ms. Zeiher at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

**DoD Clearance Officer:** Mr. Robert Cushing.

Written requests for copies of the information collection proposal should

be sent to Mr. Cushing, WHS/ESCD/ Information Management Division, 1225 South Clark Street, Suite 504, Arlington, VA 22202-4326.

Dated: October 5, 2004.

**Patricia L. Toppings,**  
Alternate OSD Federal Register Liaison  
Officer, Department of Defense.  
[FR Doc. 04-22979 Filed 10-13-04; 8:45 am]  
BILLING CODE 5001-06-M

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Proposed Collection; Comment Request

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice.

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the United States Air Force Academy, Office of Admissions, announces the proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. 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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by December 13, 2004.

**ADDRESSES:** Written comments and recommendation on the proposed information collection should be sent to United States Air Force Academy, Office of Admissions, 2304 Cadet Drive, Suite 236, USAFA, CO 80840.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposed and associated collection instruments, please write to above address, or call United States Air Force Academy, Office of Admissions (719) 333-7291.

*Title, Associated Form, and OMB Number:* Air Force Academy Applications, United States Air Force Academy Form 149, OMB Number 0701-0087.

**Needs and Uses:** The information collection requirement is necessary to obtain data on candidate's background and aptitude in determining eligibility and selection to the Air Force Academy.

**Affected Public:** Individuals or households.

**Annual Burden Hours:** 4,925.

**Number of Respondents:** 9,850.

**Responses per Respondent:** 1.

**Average Burden per Response:** 30 Minutes.

**Frequency:** On occasion.

#### SUPPLEMENTARY INFORMATION:

##### Summary of Information Collection

The information collected on this form is required by 10 U.S.C. 9346. The respondents are students who are applying for admission to the United States Air Force Academy. Each student's background and aptitude is reviewed to determine eligibility. If the Information on this form is not collected the individual cannot be considered for admittance to the Air Force Academy.

Dated: October 5, 2004.

**Patricia L. Toppings,**  
Alternate OSD Federal Register, Liaison  
Officer, Department of Defense.  
[FR Doc. 04-22980 Filed 10-13-04; 8:45 am]  
BILLING CODE 5001-06-P

## DEFENSE NUCLEAR FACILITIES SAFETY BOARD

### Updated Senior Executive Service Performance Review Board

**AGENCY:** Defense Nuclear Facilities Safety Board.

**ACTION:** Notice.

**SUMMARY:** This notice announces the membership of the updated Defense Nuclear Facilities Safety Board (DNFSB) Senior Executive Service (SES) Performance Review Board. It also announces the DNFSB senior executives who are available to serve on the SES performance review boards of other small, independent Federal commissions, committees and boards.

**EFFECTIVE DATE:** September 20, 2004.

**ADDRESSES:** Send comments concerning this notice to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004-2001.

**FOR FURTHER INFORMATION CONTACT:** Deborah Bisciegla by telephone at (202) 694-7041 or by e-mail at [debbieb@dnfsb.gov](mailto:debbieb@dnfsb.gov).

**SUPPLEMENTARY INFORMATION:** 5 U.S.C. 4314(c)(1) through (5) requires each agency to establish, in accordance with regulations prescribed by the Office of

Personnel Management, one or more Senior Executive Service performance review boards. The board shall review and evaluate the initial summary rating of the senior executive's performance, the executive's response, and the higher level official's comments on the initial summary rating. The DNFSB is a small, independent Federal agency; therefore, the members of the DNFSB SES Performance Review Board listed in this notice are drawn from the SES ranks of other agencies. This notice updates the membership of DNFSB's SES Performance Review Board as it was last published at 66 FR 49169 (September 26, 2001).

The following persons comprise a standing roster to serve as members of the Defense Nuclear Facilities Safety Board SES Performance Review Board:

Garrett W. Brass, Executive Director,  
Arctic Research Commission  
Gerald J. Smith, President, Barry M.  
Goldwater Scholarship & Excellence  
in Education Foundation  
Christopher W. Warner, General  
Counsel, U.S. Chemical Safety and  
Hazard Investigation Board  
Leon A. Wilson, Jr., Executive Director,  
Committee for Purchase from People  
Who Are Blind or Severely Disabled

The following DNFSB SES members comprise a standing roster to serve on the performance review boards of other small, independent Federal commissions, committees and boards:

Richard A. Azzaro, General Counsel  
J. Kenton Fortenberry, Technical  
Director  
James J. McConnell, Deputy Technical  
Director  
Joseph R. Neubeiser, Deputy General  
Manager  
Kenneth M. Pusateri, General Manager  
Joel R. Schapira, Deputy General  
Counsel

**Kenneth M. Pusateri,**  
Chairman, Executive Resources Board.  
[FR Doc. 04-23091 Filed 10-13-04; 8:45 am]  
BILLING CODE 3670-01-P

## DEPARTMENT OF EDUCATION

### Meeting of the National Advisory Council on Indian Education

**AGENCY:** National Advisory Council on Indian Education (NACIE), U.S. Department of Education.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of an upcoming meeting of the National Advisory Council on Indian Education (the Council) and is intended to notify