

sensitive reproductive periods and during a time seal numbers are lowest. The DNR is requesting to take approximately 275 seals multiple times; therefore, the proposed authorized amount of take can be considered small when compared to the stock size of harbor seals within Woodard Bay (14,612).

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS preliminarily finds that piling and structure removal associated with the WA DNR's habitat restoration project will result in the incidental take of small numbers of marine mammals by Level B harassment only, and that the total taking from the specified activity would have a negligible impact on the affected species or stocks.

#### **Impact on Availability of Affected Species for Taking for Subsistence Uses**

There are no relevant subsistence uses of marine mammals implicated by this action.

#### **Endangered Species Act (ESA)**

No marine mammals listed under the ESA occur within the action area. Therefore, Section 7 consultation under the ESA is not required.

#### **National Environmental Policy Act (NEPA)**

NMFS is currently preparing an Environmental Assessment analyzing environmental impacts associated with the issuance of an IHA to WA DNR authorizing the incidental take of marine mammals from pile and structure removal within the Woodard Bay NRCA. Because the EA is specific to NMFS' action of issuing an IHA, any comments received in response to this notice would also influence development of the EA. The EA would be finalized prior to issuing an IHA to the DNR.

Dated: August 6, 2010.

**James H. Lecky,**

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

[FR Doc. 2010-19953 Filed 8-11-10; 8:45 am]

**BILLING CODE 3510-22-P**

#### **DEPARTMENT OF DEFENSE**

##### **Office of the Secretary**

[Transmittal No. 10-40]

##### **36(b)(1) Arms Sales Notification**

**AGENCY:** Defense Security Cooperation Agency, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. B. English, DSCA/DBO/CFM, (703) 601-3740.

**SUPPLEMENTARY INFORMATION:** The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 10-40 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: August 9, 2010.

**Mitchell S. Bryman,**

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

**BILLING CODE 5001-06-P**



DEFENSE SECURITY COOPERATION AGENCY  
201 12<sup>TH</sup> STREET SOUTH, STE 203  
ARLINGTON, VA 22202-5408

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

AUG 08 2010

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 10-40, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Oman for defense articles and services estimated to cost \$3.5 billion. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Genaille, Jr." in a cursive script.

Richard A. Genaille, Jr.  
Deputy Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified Document Provided Under Separate Cover)

Transmittal No. 10-40

Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act, as amended

- (i) Prospective Purchaser: Oman
- (ii) Total Estimated Value:
- |                          |               |
|--------------------------|---------------|
| Major Defense Equipment* | \$2.3 billion |
| Other                    | \$1.2 billion |
| TOTAL                    | \$3.5 billion |
- (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: (18) F-16 Block 50/52 aircraft, (20) F100-PW-229 or F110-GE-129 Increased Performance Engines, (36) LAU-129/A Common Rail Launchers, (24) APG-68(V)9 radar sets, (20) M61 20mm Vulcan Cannons, (22) AN/ARC-238 Single Channel Ground and Airborne Radio Systems with HAVE QUICK I/II, (40) Joint Helmet Mounted Cueing Systems, (36) LAU-117 MAVERICK Launchers, (22) ALQ-211 Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS) or Advanced Countermeasures Electronic Systems (ACES) (ACES includes the ALQ-187 Electronic Warfare System and AN/ALR-93 Radar Warning Receiver), Advanced Identification Friend or Foe (AIFF) Systems with Mode IV, (34) Global Positioning Systems (GPS) and Embedded-GPS/ Inertial Navigation Systems (INS), (18) AN/AAQ-33 SNIPER Targeting Pods or similarly capable system, (4) DB-110 Reconnaissance Pods (RECCE), (22) AN/ALE-47 Countermeasures Dispensing Systems (CMDS), and (35) ALE-50 Towed Decoys. Also included are the upgrade of the existing 12 F-16 Block 50/52 aircraft, site survey, support equipment, tanker support, ferry services, Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD), conformal fuel tanks, construction, modification kits, repair and return, modification kits, spares and repair parts, construction, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical, engineering, and logistics support services, ground based flight simulator, and other related elements of logistics support.

\* as defined in Section 47(6) of the Arms Export Control Act.

- (iv) Military Department: Air Force (SAB)
- (v) Prior Related Cases, if any: FMS case SDC-\$701M-5Jun02
- (vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None
- (vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached
- (viii) Date Report Delivered to Congress: AUG 03 2010

POLICY JUSTIFICATIONOman – F-16 Aircraft

The Government of Oman has requested a possible sale of (18) F-16 Block 50/52 aircraft, (20) F100-PW-229 or F110-GE-129 Increased Performance Engines, (36) LAU-129/A Common Rail Launchers, (24) APG-68(V)9 radar sets, (20) M61 20mm Vulcan Cannons, (22) AN/ARC-238 Single Channel Ground and Airborne Radio Systems with HAVE QUICK I/II, (40) Joint Helmet Mounted Cueing Systems, (36) LAU-117 MAVERICK Launchers, (22) ALQ-211 Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS) or Advanced Countermeasures Electronic Systems (ACES) (ACES includes the ALQ-187 Electronic Warfare System and AN/ALR-93 Radar Warning Receiver), Advanced Identification Friend or Foe (AIFF) Systems with Mode IV, (34) Global Positioning Systems (GPS) and Embedded-GPS/Inertial Navigation Systems (INS), (18) AN/AAQ-33 SNIPER Targeting Pods or similarly capable system, (4) DB-110 Reconnaissance Pods (RECCE), (22) AN/ALE-47 Countermeasures Dispensing Systems (CMDS), and (35) ALE-50 Towed Decoys. Also included is the upgrade of the existing 12 F-16 Block 50/52 aircraft, site survey, support equipment, tanker support, ferry services, Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD), conformal fuel tanks, construction, modification kits, repair and return, modification kits, spares and repair parts, construction, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical, engineering, and logistics support services, ground based flight simulator, and other related elements of logistics support. The estimated cost is \$3.5 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country that has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will provide a significant increase in the Royal Air Force of Oman's (RAFO) capability to train with U.S. and coalition forces and augment coalition forces in a regional conflict. The F-16 Block 50/52 will enable Oman to support both its own air defense needs and coalition operations. Oman currently has 12 F-16s in its inventory and will have no difficulty absorbing these additional aircraft into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

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The principal contractors will be:

BAE Advanced Systems	Greenlawn, New York
Boeing Company	Seattle, Washington
Boeing Integrated Defense Systems (three locations)	St Louis, Missouri
	Long Beach, California
	San Diego, California
Raytheon Company (two locations)	Lexington, Massachusetts
Raytheon Missile Systems	Goleta, California
Lockheed Martin Aeronautics Company	Tucson, Arizona
Lockheed Martin Missile and Fire Control	Fort Worth, Texas
Lockheed Martin Simulation, Training and Support	Dallas, Texas
Northrop-Grumman Electro-Optical Systems	Fort Worth, Texas
Northrop-Grumman Electronic Systems	Garland, Texas
Pratt & Whitney United Technology Company	Baltimore, Maryland
General Electric Aircraft Engines	East Hartford, Connecticut
Goodrich ISR Systems	Cincinnati, Ohio
L3 Communications	Danbury, Connecticut
ITT Defense Electronics and Services	Arlington, Texas
Symetrics Industries	McLean, Virginia
	Melbourne, Florida

There are no known offset agreements in connection with this proposed sale.

Implementation of this proposed sale will require multiple trips to Oman involving U.S. Government and contractor representatives for technical reviews/support, program management, and training over a period of 15 years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

## Transmittal No. 10-40

Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control ActAnnex  
Item No. vii(vii) Sensitivity of Technology:

1. This sale will involve the release of sensitive technology to Oman. The F-16C/D Block 50/52 weapon system is classified up to Secret. The aircraft utilizes the F-16 airframe and features advanced avionics and systems. It contains the Pratt and Whitney F-100-PW-229 or the General Electric F-110-GE-129 engine, AN/APG-68(V)9 radar, digital flight control systems, internal electronic warfare equipment, Advanced IFF (with Mode IV), operational flight program, and software computer programs.

2. Sensitive and/or classified (up to Secret) elements of the F-16 aircraft proposed for sale include hardware, accessories, components, and associated software: AN/APG-68(V)9 Radar, Advanced Identification Friend or Foe (AIFF) with Mode IV, AN/ALE-47 Countermeasures (Chaff and Flare) set, SNIPER or similarly compatible system, DB-110 RECCE Pods, Embedded Global Positioning System/Inertial Navigation Systems, including Precise Positioning System enhanced navigation accuracy mode, Advanced Countermeasures Electronic System (ACES) or Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS), Joint Helmet Mounted Cueing Systems, Advanced Interference Blanking Unit, Modular Mission Computer, Have Glass II, Digital Flight Control System, and F-100 or F-110 engines. Additional sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters, and other similar critical information.

3. The AN/APG-68(V)9 radar is the latest model of the APG-68 radar and was specifically designed for foreign military sales. This model contains the latest digital technology available for a mechanically scanned antenna, including higher processor power, higher transmission power, more sensitive receiver electronics, and a new capability, Synthetic Aperture Radar (SAR), which creates higher-resolution ground maps from a much greater distance than previous versions of the APG-68. The upgrade features a 30% increase in detection range of air targets, a five-fold increase in processing speed, a ten-fold increase in memory, as well as significant improvements in all modes, jam resistance and false alarm rates. Complete hardware is classified Confidential; major components and subsystems are

classified Confidential; software is classified Secret; and the technical data and documentation are classified up to Secret.

4. The AN/AAQ-33 SNIPER Targeting System is Unclassified but contains state-of-the-art technology. Information on performance and inherent vulnerabilities is classified Secret. The software (object code) is classified Confidential. Sensitive elements include the Forward Looking Infrared (FLIR) sensors, and the AGM-65 Missile Boresight Correlator.

5. The AN/ARC-238 radio is an Ultra High Frequency/Very High Frequency voice communication radio system and considered Unclassified without HAVE QUICK II.

6. The Advanced Identification Friend or Foe System is Unclassified unless MODE IV operational evaluator parameters are loaded into the equipment.

7. The AN/ALQ-211 Airborne Integrated Defensive Electronic Warfare Suite (AIDEWS) provided passive radar warning, wide spectrum radio frequency jamming, and control and management of the entire electronic warfare system. It is an internally mounted suite. The commercially developed system software and hardware is Unclassified. The system is classified Secret when loaded with a U.S. derived EW database.

8. The AN/ALQ-187 Advanced Countermeasures Electronic System (ACES) provides passive radar warning, wide spectrum radio frequency jamming, and control and management of the entire electronic warfare (EW) system. It is an internally mounted suite. The commercially developed system software and hardware is Unclassified. The system is classified Secret when loaded with a U.S. derived EW database.

9. The Joint Helmet Mounted Cueing System (JHMCS) is a modified HGU-55/P helmet that incorporates a visor-projected Heads-Up Display (HUD) to cue weapons and aircraft sensors to air and ground targets. This system projects visual targeting and aircraft performance information on the back of the helmet's visor, enabling the pilot to monitor this information without interrupting his field of view through the cockpit canopy. This provides significant improvement for close combat targeting and engagement. The JHMCS hardware is Unclassified.

10. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

[FR Doc. 2010-19929 Filed 8-11-10; 8:45 am]

BILLING CODE 5001-06-C

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### List of Institutions of Higher Education Ineligible for Federal Funds

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice.

**SUMMARY:** This document is published to identify institutions of higher education that are ineligible for contracts and grants by reason of a determination by the Secretary of Defense that the institution prohibits or in effect prevents military recruiter access to the campus, students on campus or student directory information. It also implements the requirements set forth in section 983 of title 10, United States Code, and 32 CFR part 216. The institutions of higher education so identified are the Vermont

Law School, South Royalton, Vermont; and the William Mitchell College of Law, St. Paul, Minnesota.

**ADDRESSES:** Director for Accession Policy, Office of the Under Secretary of Defense for Personnel and Readiness, 4000 Defense Pentagon, Washington, DC 20301-4000.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Colonel Paul Nosek, (703) 695-5529.

Dated: August 9, 2010.

**Mitchell S. Bryman,**

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

[FR Doc. 2010-19930 Filed 8-11-10; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of Proposed Information Collection Requests.

**SUMMARY:** The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507 (j)), due to unanticipated events and the enactment of H.R. 1586, which authorizes the Education Jobs Fund Program. The Act requires awards to be made within a certain period from the date of enactment as specified under the "Additional Information" section. Approval by the Office of Management and Budget (OMB) has been requested by August 12, 2010.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, *Attention:* Education Desk Officer,