

received by the public), there is no expectation of privacy of any transmitted position, binary, or safety related messages, or any information transmitted on AIS. In response to the Maritime Transportation Security Act of 2002, the Coast Guard has developed a two-way maritime data communication system based on AIS technology, which is referred to as the NAIS.

### Levels of Information Sharing

The following three levels pertain to information collected by the Coast Guard NAIS.

The First level (Level A) is unfiltered (real-time) information collected by the NAIS that is less than 12 hours from transmission. Level A information may be shared with U.S. or foreign governments for legitimate internal government use (i.e., law enforcement, maritime safety, defense, and security purposes). The final policy would clarify that this information should be handled in accordance with Department of Homeland Security policies concerning sensitive but unclassified information, including by marking this information "For Official Use Only" (FOUO), or any successor controlled unclassified information marking and handling requirements subsequently implemented by the Department. Level A information would be handled as FOUO, or otherwise in accordance with another controlled unclassified information designation approved by the Department, due to the potential commercial sensitivities of the information collected by the NAIS and the unfiltered, embedded addressed and encrypted information, the release of which may pose a security risk.

The Second level (Level B) is filtered (real-time) information collected by the NAIS that is less than 12 hours from transmission. Level B information may be shared with foreign governments or U.S. Federal, State, local, and Indian tribal governments, and with non-government entities that are contractually supporting a Federal government agency's operations or research and development efforts, Coast Guard validated port partners, or non-governmental organizations with which the U.S. has an established or formalized relationship (e.g., port authorities, pilot associations, local law enforcement agencies, etc.). Level B may filter out encrypted and addressed information as appropriate and will be filtered as the NAIS system filtering capabilities become available. As with Level A information, the final policy would clarify that this information should also be handled as FOUO or other appropriate designation due to the

potential (but unverified) commercial sensitivities of the information collected by the NAIS and, if applicable, the embedded addressed and encrypted information, the release of which may pose a security risk.

The Third level (Level C) is information collected by the NAIS that is more than 12 hours from transmission. This information should be considered historical and no longer needing to be handled as FOUO. Requests for filtered or unfiltered historical information would be processed in accordance with the Freedom of Information Act, 5 U.S.C. 552.

In an effort to continue to enhance navigation safety and security, and to protect commercial and proprietary interests, this information may not be used for purposes other than those intended for the disclosure as approved. Foreign governments, Federal, State, local and Indian tribal governments, and non-government entities shall not retransmit or redistribute the information stream in any form other than those intended for the disclosure as approved, shall not charge a fee for its usage, and will be required to execute documentation imposing restrictions on the use of information collected by the NAIS. Any provision of information collected by the NAIS to foreign governments will be coordinated with and through the Department of State, as needed.

Implementation of the final policy would be subject to NAIS system capability, especially with respect to evolving capabilities to filter NAIS information.

### Request for Comments

We request your general comments on the applicability and levels of the sharing of information collected by the NAIS, the definition of historical NAIS information, and any commercial or security sensitivities with respect to sharing of information collected by the NAIS.

We also seek comments on any or all of following specific questions on the development of the NAIS final policy:

1. How might providing real-time, near real-time, or historical NAIS information to the public impact maritime commerce?
2. What would be the impact of providing this information, if any, on the following?
  - a. Safety of ships and passengers or crew,
  - b. Security of ships and their cargo,
  - c. Economic advantage or disadvantage to commercial stakeholders,

d. Environmental impact on extractable resources or coastal activities.

3. Is information collected by the NAIS considered sensitive?

a. Is real-time or near real-time information collected by the NAIS viewed differently than historical NAIS information, and if so, how?

b. Does the sharing of information collected by the NAIS generate concern about unfair commercial advantage? If so, for which segments of the industry is this a concern?

c. Is there a timeframe within which real-time or historical information collected by the NAIS is considered sensitive or is no longer considered sensitive?

d. Given that ships last for decades and that their capabilities and capacities are relatively stable, is there a concern that historical NAIS information might be analyzed to derive a competitive advantage?

4. What controls on sharing real-time, near real-time, or historical information collected by the NAIS with the public are suitable?

a. Who should receive each type of NAIS information?

b. What are appropriate uses of information collected by the NAIS?

c. Do message types matter?

d. Should addressed messages be handled differently from broadcast messages? Do addressed messages contain information significant to understanding maritime activity? Should addressed messages be shared with the public?

Written comments and responses to the above questions will be added to the docket number for this notice (USCG-2009-0701). The Coast Guard intends to review and analyze all comments received in order to develop the final policy for the sharing of information collected by the NAIS.

This notice is issued under authority of 5 U.S.C. 552 and 46 U.S.C. 70114.

Dated: January 8, 2010.

**Dana A. Goward,**

*Director, Assessment, Integration and Risk Management, U.S. Coast Guard.*

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**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5375-N-02]

### Federal Property Suitable as Facilities To Assist the Homeless

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

**DATES:** *Effective Date:* January 15, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Ezzell, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7262, Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: January 7, 2009.

**Mark R. Johnston,**

*Deputy Assistant Secretary for Special Needs.*

[FR Doc. 2010-346 Filed 1-14-10; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

**[FWS-R7-MB-2010-N007] [70151-1231-BS51-L6]**

**Information Collection Sent to the Office of Management and Budget (OMB) for Approval; OMB Control Number 1018-0124; Alaska Migratory Bird Subsistence Harvest Household Survey**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice; request for comments.

**SUMMARY:** We (Fish and Wildlife Service) have sent an Information Collection Request (ICR) to OMB for review and approval. The ICR, which is summarized below, describes the nature of the collection and the estimated burden and cost. This ICR is scheduled to expire on January 31, 2010. We 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. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

**DATES:** You must send comments on or before February 16, 2010.

**ADDRESSES:** Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB-OIRA

at (202) 395-5806 (fax) or OIRA\_DOCKET@OMB.eop.gov (e-mail). Please provide a copy of your comments to Hope Grey, Information Collection Clearance Officer, Fish and Wildlife Service, MS 222-ARLSQ, 4401 North Fairfax Drive, Arlington, VA 22203 (mail) or hope\_grey@fws.gov (e-mail).

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Hope Grey by mail or e-mail (see ADDRESSES) or by telephone at (703) 358-2482.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 1018-0124.

*Title:* Alaska Migratory Bird Subsistence Harvest Household Survey.

*Service Form Number(s):* 3-2380, 3-2381-1, 3-2381-2, 3-2381-3, and 3-2381-4.

*Type of Request:* Revision of a currently approved collection.

*Affected Public:* Households within subsistence eligible areas of Alaska (Alaska Peninsula, Kodiak Archipelago, the Aleutian Islands, or in areas north and west of the Alaska Range).

*Respondent's Obligation:* Voluntary.

*Frequency of Collection:* Annually for Tracking Sheet and Household Consent; three times annually for Harvest Report.

Activity	Number of annual respondents	Number of annual responses	Completion time per response	Annual burden hours
3-2380—Tracking Sheet and Household Consent .....	2,829	2,829	5 minutes .....	236
3-2381-1 thru 3-2381-4—Harvest Report (three seasonal sheets) .....	2,300	6,900	5 minutes .....	575
Totals .....	5,129	9,729	.....	811

**Abstract:** The Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712) and the Fish and Wildlife Act of 1956 (16 U.S.C. 742d) designate the Department of the Interior as the key agency responsible for managing migratory bird populations that frequent the United States and for setting harvest regulations that allow for the conservation of those populations. These responsibilities include gathering accurate geographical and temporal data on various characteristics of migratory bird harvest. We use harvest data to review regulation proposals and to issue harvest regulations.

The Migratory Bird Treaty Act Protocol Amendment (1995) (Amendment) provides for the customary and traditional use of migratory birds and their eggs for

subsistence use by indigenous inhabitants of Alaska. The Amendment states that its intent is not to cause significant increases in the take of species of migratory birds relative to their continental population sizes. A submittal letter from the Department of State to the White House (May 20, 1996) accompanied the Amendment and specified the need for harvest monitoring. The submittal letter stated that the Service, the Alaska Department of Fish and Game (ADFG), and Alaska Native organizations would collect harvest information cooperatively within the subsistence eligible areas. Harvest survey data help to ensure that customary and traditional subsistence uses of migratory birds and their eggs by indigenous inhabitants of Alaska do not

significantly increase the take of species of migratory birds relative to their continental population sizes.

Between 1989 and 2004, we monitored subsistence harvest of migratory birds using annual household surveys in the Yukon-Kuskokwim Delta, which is the region of highest subsistence bird harvest in the State of Alaska. In 2004, we began monitoring subsistence harvest of migratory birds in subsistence eligible areas Statewide. The Statewide harvest assessment program helps to track trends and changes in levels of harvest. The harvest assessment program relies on collaboration among the Service, the ADFG, and a number of Alaska Native organizations.