

## STATE REFERENDUM RESULTS—Continued

[February 2, 2009, through February 27, 2009]

State	Votes		Volume voted	
	Yes	No	Yes	No
Oregon .....	51	9	37,179	4,373
Pennsylvania .....	49	11	5,321	30,607
South Dakota .....	92	43	69,216	82,413
Tennessee .....	22	3	1,215	110
Texas .....	158	6	203,437	47,536
Utah .....	80	3	161,377	4,457
Virginia .....	15	7	4,388	997
Washington .....	35	0	23,677	0
West Virginia .....	50	4	9,728	278
Wisconsin .....	28	6	4,232	4,438
Wyoming .....	72	11	212,224	11,406
Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Hawaii, Louisiana, Mississippi, Oklahoma, Rhode Island, South Carolina, & Vermont <sup>1</sup>	14	5	6,092	10,407
National Totals .....	1,678	293	3,670,082	280,641

<sup>1</sup> To ensure the confidentiality of the voting process, the results of States in which there were not at least 3 votes in total with a minimum of one vote in each category are combined for the purpose of this report.

**Authority:** 7 U.S.C. 7411–7425 and 7 U.S.C. 7401.

Dated: July 14, 2009.

**David R. Shipman,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. E9–17032 Filed 7–17–09; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Availability of Seats for the Monterey Bay National Marine Sanctuary Advisory Council

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice and request for applications.

**SUMMARY:** The ONMS is seeking applications for the following vacant seats on the Monterey Bay National Marine Sanctuary Advisory Council: Education. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the sanctuary. Applicants who are chosen should expect to serve until February 2011.

**DATES:** Applications are due by August 21, 2009.

**ADDRESSES:** Application kits may be obtained from 299 Foam Street, Monterey, CA 93940. Completed applications should be sent to the same address.

**FOR FURTHER INFORMATION CONTACT:**

Nicole Capps, 299 Foam Street, Monterey, CA 93940, (831) 647–4206, [nicole.capps@noaa.gov](mailto:nicole.capps@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The MBNMS Advisory Council was established in March 1994 to assure continued public participation in the management of the Sanctuary. Since its establishment, the Advisory Council has played a vital role in decisions affecting the Sanctuary along the central California coast.

The Advisory Council's twenty voting members represent a variety of local user groups, as well as the general public, plus seven local, state and federal governmental jurisdictions. In addition, the respective managers or superintendents for the four California National Marine Sanctuaries (Channel Islands National Marine Sanctuary, Cordell Bank National Marine Sanctuary, Gulf of the Farallones National Marine Sanctuary and the Monterey Bay National Marine Sanctuary) and the Elkhorn Slough National Estuarine Research Reserve sit as non-voting members.

Four working groups support the Advisory Council: The Research Activity Panel ("RAP") chaired by the Research Representative, the Sanctuary Education Panel ("SEP") chaired by the Education Representative, the Conservation Working Group ("CWG") chaired by the Conservation Representative, and the Business and Tourism Activity Panel ("BTAP")

chaired by the Business/Industry Representative, each dealing with matters concerning research, education, conservation and human use. The working groups are composed of experts from the appropriate fields of interest and meet monthly, or bi-monthly, serving as invaluable advisors to the Advisory Council and the Sanctuary Superintendent.

The Advisory Council represents the coordination link between the Sanctuary and the state and federal management agencies, user groups, researchers, educators, policy makers, and other various groups that help to focus efforts and attention on the central California coastal and marine ecosystems.

The Advisory Council functions in an advisory capacity to the Sanctuary Superintendent and is instrumental in helping develop policies, program goals, and identify education, outreach, research, long-term monitoring, resource protection, and revenue enhancement priorities. The Advisory Council works in concert with the Sanctuary Superintendent by keeping him or her informed about issues of concern throughout the Sanctuary, offering recommendations on specific issues, and aiding the Superintendent in achieving the goals of the Sanctuary program within the context of California's marine programs and policies.

**Authority:** 16 U.S.C. Sections 1431, *et seq.* (Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: July 13, 2009.

**Daniel J. Basta,**

*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. E9-17162 Filed 7-17-09; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID DOD-2009-OS-0106]

### Privacy Act of 1974; System of Records

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice to alter a system of records.

**SUMMARY:** The Office of the Secretary of Defense is proposing to alter DHRA 02 systems of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective without further notice on August 19, 2009 unless comments are received which result in a contrary determination.

**ADDRESSES:** Send comments to the Privacy Act Officer, Freedom of Information Directorate, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Cindy Allard at (703) 588-6830.

**SUPPLEMENTARY INFORMATION:** The Office of the Secretary of Defense systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on July 13, 2009 to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records About Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: July 13, 2009.

**Morgan E. Frazier,**

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

### DHRA 02

#### SYSTEM NAME:

PERSEREC Research Files (November 29, 2002, 67 FR 69205).

#### CHANGES:

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#### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with "Present and former Executive branch civilian employees, military members, contractor employees and all others who have had or applied for security clearances, positions with the Federal government that require background investigations, or government identification cards that would grant them access to information technology systems and/or unescorted access to government facilities."

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with "Applications, adjudication information, and records identifying people authorized to hold Federal positions of trust, granted access, or access eligibility to sensitive information, facilities, materials, or systems.

Results of record checks to meet investigative standards or accomplish continuous evaluation, such as checks addressing criminal history, financial behavior, employment, education, investigative, immigration, pay and personnel records, records of foreign travel and foreign contacts, and asset ownership.

Information in this system includes background investigation reports; reference interview documentation, recommendations, and comments; dates and reports of subject interviews; results of subject interrogatories; security violations; data relating to misuse of information technology systems; pre-employment investigations reports and results of record checks required to test new investigative sources.

Dates and types of past investigations, access granted based on qualifying investigations, denials, revocations, debarments, administrative actions, and other adverse actions based on adjudication of investigations; and responses from personnel security-related interviews.

Data is also derived from responses to questions contained on future, current, and prior personnel security related questionnaires. Agency Use Block

(AUB) question responses include type of investigation requested, case number, extra coverage/advance results, sensitivity level, access/eligibility, nature and date of action, geographic location, position code and title, Submitting Office Number (SON), location of official personnel folder, Security Office Identifier (SOI), use of the Intra-governmental Payment and Collection (IPAC) system, Treasury Account Symbol (TAS), obligating document number, Business Event Type Code (BETC), investigative requirement, requesting officials' name, title, email address, phone number, and applicant affiliation.

Data derived from responses to questions contained on future, current, and prior personnel security related questionnaires provided by filers include name, Social Security Number (SSN); current home address, telephone number, home e-mail, cell/mobile phone number; date and place of birth, gender, other names used, citizenship, mother's maiden name; U.S. passport number and issue date, alien registration number, previous addresses and dates of residence.

Educational data on schools and dates of attendance; conduct information that include, disciplinary actions, transcripts, commendations, degrees, certificates, subject's explanations regarding education conduct.

References that consist of name, current address, phone number, and e-mail address.

Current and previous employment information that consists of employer name, dates employed, address; name and phone number of supervisor. Conduct information that includes disciplinary actions, dates and reason for termination; performance evaluation; and subject's explanations regarding employment conduct. Employment reference names, current address, phone number and e-mail address.

Selective Service record, military history, and conduct information.

Responses from questionnaires that include the individual's physical description of height, weight, hair, and eye color. Date of marriage, separation, and divorce information including spouse or cohabitant name, Social Security Number (SSN), date and place of birth, citizenship of spouse, former spouse, or cohabitant. Relative's names, relationship, date, place of birth, citizenship, and current addresses.

Foreign contact and activities information that include names, dates of individuals known, country(ies) of citizenship, country of residence, type and nature of contact, financial