

- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

**Off-Exchange Agricultural Trade Options, OMB Control Number 3038-0048—Extension**

In April 1998, the CFTC removed the prohibition on off-exchange trade options on the enumerated agricultural commodities subject to a number of regulatory requirements 63 FR 18821 (Apr. 16, 1998). Thereafter, the Commission streamlined the regulatory and paperwork burdens in order to increase the utility of agricultural trade options while maintaining basic customer protections. 64 FR 68011 (Dec. 6, 1999). Based on its experience in

administering this program, the Commission has determined that its estimates of the burden of this collection of information remains unchanged based on the number of firms and individuals that may apply for registration. Responses to the collection of information are mandatory pursuant to section 4c(b) of the Commodity Exchange Act.

The Commission estimates the burden of this collection of information as follows:

**ESTIMATED ANNUAL REPORTING BURDEN**

| 17 CFR               | Annual number of respondents | Frequency of response | Total annual responses | Hours per response | Total hours |
|----------------------|------------------------------|-----------------------|------------------------|--------------------|-------------|
| 17 CFR Part 32 ..... | 360                          | On occasion .....     | 411                    | 5.59               | 2,391       |

There are no capital costs or operating and maintenance costs associated with this collection.

Dated: October 6, 2005.

**Jean A. Webb,**

*Secretary of the Commission.*

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Nationwide TRICARE Demonstration Project**

**AGENCY:** Office of the Secretary of Defense for Health Affairs/TRICARE Management Activity, DoD.

**ACTION:** Notice extending deadline for Demonstration Project.

**SUMMARY:** On November 5, 2001, the Department of Defense (DoD) published a notice of a Nationwide TRICARE Demonstration Project (66 FR 55928-55930). On October 1, 2004, the Department of Defense (DoD) published a notice (69 FR 58895) to extend the Demonstration through October 31, 2005. The Demonstration is also referred to as the Operation Noble Eagle/Enduring Freedom Reservist and National Guard Benefits Demonstration. This notice is to advise interested parties of the continuation of the Demonstration in which the DoD Military Health System addresses unreasonable impediments to the continuity of healthcare encountered by certain family members of Reservists and National Guardsmen called to

active duty in support of a Federal/contingency operation. The Demonstration scheduled to end on October 31, 2005, is now extended through October 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Office of the Assistance Secretary of Defense for Health Affairs, TRICARE Management Activity, TRICARE Operations Directorate at (703) 681-0039.

**SUPPLEMENTARY INFORMATION:** Continuing levels of about 170,000 Reserve Component members activated in support of Noble Eagle/Operation Enduring Freedom and Operation Iraqi Freedom in FY 2005 warrants the continuation of the Demonstration to support the healthcare needs and morale of family members of activated reservists and guardsmen. The National Defense Authorization Act of 2005 amended existing statutes that will enable the Secretary of Defense to provide these benefits permanently by regulation. The Demonstration needs to be extended to provide sufficient time for the rule-making process to establish the new regulation. The impact if the Demonstration is not extended, before permanent regulation is promulgated, includes higher out-of-pocket costs and potential inability to continue to use the same provider for ongoing care. There are three separate components to the demonstration. First, those who participate in TRICARE Standard will not be responsible for paying the TRICARE Standard deductible. By law, the TRICARE Standard deductible for active duty dependents is \$150 per individual, \$300 per family (\$50/\$150 for E-4's and below). The second

component extends TRICARE payments up to 115 percent of the TRICARE maximum allowable charge, less the applicable patient co-payment, for care received from a provider that does not participate (accept assignment) under TRICARE to the extent necessary to ensure timely access to care and clinically appropriate continuity of care. Third, the Demonstration authorizes a waiver of the non-availability statement requirement of non-emergency inpatient care. This Demonstration project is being conducted under the authority of 10 U.S.C. 1092. This Demonstration is extended through October 31, 2007.

Dated: October 5, 2005.

**L. M. Bynum,**

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

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**BILLING CODE 5001-06-M**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Membership of the Performance Review Board**

**AGENCY:** Defense Finance and Accounting Service, DOD.

**ACTION:** Notice.

This notice announces the appointment of the members of the Performance Review Board (PRB) of the Defense Finance and Accounting Service. The publication of PRB membership is required by 5 U.S.C. 4314(C)(4).

The PRB provides fair and impartial review of Senior Executive Service

performance appraisals and makes recommendations regarding performance ratings and performance bonuses to the Director, DFAS.

**DATES:** *Effective date:* November 9, 2005.

**FOR FURTHER INFORMATION CONTACT:** Jerry Hovey, DFAS SES Program Manager, Defense Finance and Accounting Service, Arlington, Virginia, (863) 815-3709.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 4314(C)(4), the following executives are appointed to the Defense Finance and Accounting Service PRB: Brigadier General Jan Eakle, Patrick T. Shine, Leon J. Krushinski, Jerry S. Hinton, Kathleen D. Noe.

Executives listed will service a one-year renewable term, effective November 9, 2005.

Dated: October 4, 2005.

**L.M. Bynum,**

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

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BILLING CODE 5001-06-M

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Prepare an Environmental Impact Statement (EIS) for an Annex to the Fort Rosecrans National Cemetery at Marine Corps Air Station Miramar, San Diego, CA

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice.

**SUMMARY:** In accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4332(2)(c)), as implemented by the Council on Environmental Quality Regulations (40 CFR parts 1500-1508), the Department of the Navy, Marine Corps Air Station Miramar (MCAS Miramar) and Department of Veterans Affairs intend to prepare an environmental impact statement (EIS) and conduct a public scoping meeting for the proposed development and operation of a national veteran's cemetery at MCAS Miramar in San Diego, California. The cemetery will be an annex to the Department of Veterans Affairs Fort Rosecrans National Cemetery.

**DATES:** All written scoping comments must be received by Friday, November 18, 2005. A public meeting to receive comments on the scope of the EIS will be held on Wednesday, November 2, 2005, from 6 p.m. to 8 p.m.

**ADDRESSES:** Written comments should be directed to: Ms. Hiphil S. Clemente (Code OPCE.HC), Southwest Division, Naval Facilities Engineering Command, 1220 Pacific Highway, San Diego, California, 92132. The public scoping meeting will be held at the Holiday Inn Select Miramar, 9335 Kearny Mesa Road, San Diego, CA.

**FOR FURTHER INFORMATION CONTACT:** Ms. Hiphil S. Clemente, Southwest Division, Naval Facilities Engineering Command at telephone 619-532-3781, fax 619-532-4160, or E-mail: [hiphil.clemente@navy.mil](mailto:hiphil.clemente@navy.mil).

**SUPPLEMENTARY INFORMATION:** The Department of Veterans Affairs operates the Fort Rosecrans National Cemetery, located on the Point Loma Submarine Base. It is the only national cemetery in San Diego County and has been closed to casketed burials since 1966. It will be closed to cremated remains burials by 2008. About 7 acres of additional land was acquired from the Point Loma Submarine Base in 2002. The National Cemetery Administration constructed columbarium niches to provide a limited number of cremation burial options to the San Diego veteran population. Demand for these columbarium niches as a burial option has been high, resulting in Fort Rosecrans National Cemetery being ranked the tenth busiest national cemetery, according to interment workload within the National Cemetery Administration. Accordingly, with this high demand, these columbarium niches are rapidly being depleted at this cemetery and will only provide space until 2008. No additional land is available for expansion at Fort Rosecrans or Point Loma Submarine Base.

The Department of Veterans Affairs National Cemetery Administration has identified a need for additional burial space for the 253,000 San Diego area military veterans. The Department of the Navy offered four potential sites at MCAS Miramar for consideration.

A Siting Study was prepared by the Department of the Navy and Department of Veterans Affairs to evaluate the suitability of the four potential MCAS Miramar cemetery sites. Based on the Siting Study, two sites were determined feasible for use and will be evaluated in detail in the EIS.

The proposed action is development and operation of a national veterans cemetery at MCAS Miramar as part of an annex to the Department of Veterans Affairs Fort Rosecrans National Cemetery. The proposal includes a land use agreement between the Department of the Navy and Department of Veterans

Affairs for development and operation of the cemetery. The proposed site, identified as Site 2, is a 327-acre site located in the northwestern corner of MCAS Miramar across Miramar Road. The site is bounded by Miramar Road to the north, the commuter railway to the south and east, and the western boundary of MCAS Miramar to the west.

An alternative site, identified as Site 4, is a 279-acre site located in the south-central portion of MCAS Miramar in the former Camp Elliott area. The site is completely surrounded by freeways with State Route 163 to the west, State Route 52 to the south, and Interstate 15 to the east. Kearny Villa Road traverses the site in a north-south direction.

The EIS will evaluate potential environmental effects associated with action alternatives and the no action alternative. Potential issues include, but are not limited to, biological resources, historic and archaeological resources, geology and soils, hydrology, air quality, explosive safety and traffic. Relevant and reasonable measures that could alleviate environmental effects will be considered.

The Department of the Navy and the Department of Veterans Affairs will jointly undertake necessary consultations with regulatory entities pursuant to the Endangered Species Act, Clean Water Act, National Historic Preservation Act, and any other applicable law or regulation. Consultation will include but is not limited to the following Federal, state, and local agencies: U.S. Fish and Wildlife Service; State Historic Preservation Officer; U.S. Army Corps of Engineers; U.S. Environmental Protection Agency; San Diego Regional Water Quality Control Board; California Department of Transportation; San Diego Air Pollution Control District; California Department of Toxic Substance Control; and the County of San Diego, Department of Environmental Health.

The public scoping period begins with the publication of this Notice of Intent and ends November 18, 2005. All scoping comments must be received by November 18, 2005. A public scoping meeting will be held on Wednesday, November 2, 2005, from 6 p.m. to 8 p.m. at the Holiday Inn Select Miramar, 9335 Kearny Mesa Road, San Diego, California. The public scoping meeting will follow an informal open house format. The public is invited to attend the meeting at their convenience during the meeting hours and can view project-related displays and speak with Department of the Navy and Department of Veterans Affairs representatives. A