

a regular, scheduled, and anticipated component of the individual's position description.

§ 2540.207 [Removed and reserved].

14. Remove and reserve § 2540.207.

PART 2551—SENIOR COMPANION PROGRAM

15. The authority citation for part 2551 continues to read as follows:

Authority: 42 U.S.C. 4950 *et seq.*; 42 U.S.C. 12651b–12651d; E.O. 13331, 69 FR 9911.

16. Amend § 2551.23 by adding a new paragraph (l) to read as follows:

§ 2551.23 What are the sponsor's program responsibilities?

* * * * *

(l) Conduct criminal history checks on all Senior Companions and Senior Companion grant-funded employees who enroll in, or are hired by, your program after November 23, 2007, in accordance with the National Service Criminal History Check requirements in 45 CFR §§ 2540.200–207.

§§ 2551.26, 2551.27, 2551.28, 2551.29, 2551.30, 2551.31, 2551.32 [Removed and Reserved].

17. Remove and reserve §§ 2551.26, 2551.27, 2551.28, 2551.29, 2551.30, 2551.31, 2551.32.

PART 2552—FOSTER GRANDPARENT PROGRAM

18. The authority citation for Part 2552 continues to read as follows:

Authority: 42 U.S.C. 4950 *et seq.*, 42 U.S.C. 12651b–12651d; E.O. 13331, 69 FR 9911.

19. Amend § 2552.23 by adding a new paragraph (l) to read as follows:

§ 2552.23 What are a sponsor's program responsibilities?

* * * * *

(l) Conduct criminal history checks on all Foster Grandparents and Foster Grandparent grant-funded employees who enroll in, or are hired by, your program after November 23, 2007, in accordance with the National Service Criminal History Check requirements in 45 CFR §§ 2540.200–207.

§ 2552.26, 2552.27, 2552.28, 2552.29, 2552.30, 2552.31, 2552.32 [Removed and Reserved]

20. Remove and reserve § 2552.26, 2552.27, 2552.28, 2552.29, 2552.30, 2552.31, 2552.32.

Dated: June 24, 2011.

Valerie Green,
General Counsel.

[FR Doc. 2011–16509 Filed 7–5–11; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 21

[Docket No. FWS–R9–MB–2011–0020; 91200–1231–9BPP]

RIN 1018–AX78

Migratory Bird Permits; Changes in the Regulations Governing Raptor Propagation

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: We solicit recommendations on whether the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) should be included among other raptors that may be propagated in captivity under Federal raptor propagation permits.

DATES: We will accept comments received or postmarked by the end of the day on October 4, 2011.

ADDRESSES: You may submit comments by either one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS–R9–MB–2011–0020.

- *U.S. mail or hand delivery:* Public Comments Processing, Attention: FWS–R9–MB–2011–0020; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, MS 2042–PDM; Arlington, VA 22203–1610.

We will not accept e-mail or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information that you provide. See the Public Comments section below for more information.

FOR FURTHER INFORMATION CONTACT: Dr. George T. Allen, 703–358–1825.

SUPPLEMENTARY INFORMATION:

Public Comments

Propagation of bald eagles and golden eagles has not been allowed under the raptor propagation permit regulations at 50 CFR 21.30. We are now considering whether to permit this activity. We request comments and suggestions on this topic from the public, other concerned governmental agencies, the scientific community, industry, and other interested parties.

You may submit your comments and supporting materials only by one of the methods listed in the **ADDRESSES** section. We will not consider comments

sent by e-mail or fax, or written comments sent to an address other than the one listed in the **ADDRESSES** section.

If you submit a comment via <http://www.regulations.gov>, your entire comment—including any personal identifying information—will be posted on the Web site. If you submit a hardcopy comment that includes personal identifying information, you may request that we withhold this information from public review, but we cannot guarantee that we will be able to do so. We will post all hardcopy comments on <http://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection at <http://www.regulations.gov>, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service (see **FOR FURTHER INFORMATION CONTACT**).

Background

The U.S. Fish and Wildlife Service is the Federal agency with the primary responsibility for managing migratory birds. Our authority is based on the Migratory Bird Treaty Act (MBTA, 16 U.S.C. 703 *et seq.*) and the Bald and Golden Eagle Protection Act (BGEPA, 16 U.S.C. 668). Regulations governing the issuance of permits for bald eagles and golden eagles are in 50 CFR part 22 and certain sections of 50 CFR part 21.

The MBTA allows the Secretary of the Interior to issue permits for take and possession of migratory birds for many purposes. The BGEPA allows bald eagles and golden eagles to be taken and possessed under more restricted circumstances. For example, only golden eagles that are depredating on livestock or wildlife may be taken from the wild by falconers, and bald eagles, no matter what their origin, cannot be held for falconry. Eagles may not be sold, purchased, or bartered under any circumstances, regardless of whether they are wild or captive-bred in origin.

Bald and golden eagles are the only raptor species protected by the MBTA that are not allowed under the current raptor propagation permit regulations at 50 CFR 21.30 because those regulations do not apply to these two species that are also protected under the Bald and Golden Eagle Protection Act (see 50 CFR 21.2(b)). We are evaluating whether to amend the regulations to allow some holders of valid raptor propagation permits to propagate eagles as they can many other raptor species. Most eagles in captivity are held under permits for exhibition/education, eagle falconry, and Native American eagle aviaries. All

eagles held for falconry are golden eagles, and most were removed from the wild due to livestock depredation. Most eagles held for exhibition/education and Native American aviaries are nonreleasable bald eagles and golden eagles obtained from permitted rehabilitators. We are assessing whether captive-bred eagles should be available for these or other purposes. We solicit comments and suggestions on all aspects of bald eagle and golden eagle propagation and potential regulations to govern Federal permitting of this activity.

We particularly solicit comments on the topics listed below. Explaining your reasons and rationale for your comments will help as we consider them.

(1) Whether to allow propagation of bald eagles and golden eagles under raptor propagation permits.

(2) Qualifications and experience necessary to propagate eagles.

(3) Limits or restrictions that should apply to propagation of eagles.

(4) Special restrictions that should apply with regard to imprinting.

(5) Whether propagators should be allowed to hybridize bald eagles and golden eagles with other species of eagles.

(6) Restrictions on purposes for which captive-bred eagles may be held.

(7) Qualifications and experience necessary to possess a captive-bred bald eagle or golden eagle.

(8) Special facilities requirements for propagation of golden eagles and bald eagles.

(9) Report information that should be required from a permit holder, if any.

(10) Other conditions that should apply to these permits.

Dated: June 27, 2011.

Rachel Jacobson,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2011-16877 Filed 7-5-11; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 21

[Docket Number FWS-R9-MB-2009-0045; 91200-1231-9BPP]

RIN 1018-AW75

Migratory Bird Permits; Abatement Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: We are considering promulgating migratory bird permit regulations for a permit to use raptors (birds of prey) in abatement activities. Abatement means the use of trained raptors to flush, scare (haze), or take birds or other wildlife to mitigate damage or other problems, including risks to human health and safety. We have permitted this activity under special purpose permits since 2007 pursuant to a migratory bird permit policy memorandum. We now intend to prepare a specific permit regulation to authorize this activity. We seek information and suggestions from the public to help us formulate any proposed regulation.

DATES: We must receive any comments or suggestions by October 4, 2011.

ADDRESSES: You may only submit comments or suggestions by the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments. We will not post duplicate comments from any entity, nor will they be put into our administrative record for this issue.

- *U.S. mail or hand-delivery:* Public Comments Processing, Attention FWS-R9-MB-2009-0045; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203-1610.

We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

FOR FURTHER INFORMATION CONTACT: Susan Lawrence at 703-358-2016.

SUPPLEMENTARY INFORMATION:

Public Comments

We request comments and suggestions on this topic from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties. You may submit your comments and materials concerning this issue by one of the methods listed in the **ADDRESSES** section. We will not consider comments sent by e-mail or fax or to an address not listed in the **ADDRESSES** section.

If you submit a comment via <http://www.regulations.gov>, your entire comment—including any personal identifying information—will be posted on the Web site. If you submit a hardcopy comment that includes

personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy comments on <http://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we use in preparing a proposed rule, will be available for public inspection at <http://www.regulations.gov>, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service (see **FOR FURTHER INFORMATION CONTACT**).

Background

In response to public interest in the use of trained raptors to haze (scare) depredating and other problem birds from airports and agricultural crops, we drafted policy to establish a migratory bird abatement permit. On January 12, 2007, we published a **Federal Register** notice (72 FR 1556-1557) containing draft permit conditions for abatement permits for public comment. On December 10, 2007, we published a **Federal Register** notice (72 FR 69705-69706) announcing final permit conditions. This was accompanied by Migratory Bird Permit Memorandum Number 5, Abatement Activities Using Raptors, issued August 22, 2007, available at http://www.fws.gov/migratorybirds/mbpermits/Memorandums/Abatement_Activities_Using_Raptors.pdf.

The policy memorandum and conditions govern current administration of Federal Migratory Bird Special Purpose Abatement permits (Federal abatement permit). Applicants for a Federal abatement permit complete and submit Service application form 3-200-79 (<http://www.fws.gov/forms/3-200-79.pdf>) to their Regional Migratory Bird Permit Office. The permit provides the public with a nonlethal management tool to mitigate problems caused by birds and other wildlife. The use of raptors in abatement continues to expand, and we intend to develop a specific permit regulation to govern the activity, rather than continue to administer the permits under Special Purpose permit authority (50 CFR 21.27) and Migratory Bird Permit Memorandum Number 5.

A Federal abatement permit authorizes the use of trained raptors protected under the Migratory Bird Treaty Act (MBTA) to abate problems caused by migratory birds or other wildlife. Under the current policy, an individual must be a Master Falconer in good standing under the Federal falconry regulations (50 CFR 21.29) to