

Dated: August 17, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

[FR Doc. 04-19279 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

Application for Duty-Free Entry of Scientific Instrument

Pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW., Washington, DC.

Docket Number: 04-015. *Applicant:* North Carolina State University, Campus Box 7212, Raleigh, NC 27695-7212. *Instrument:* Cryogen-Free Superconductive Magnet System. *Manufacturer:* Cryogenic Limited, United Kingdom. *Intended Use:* The instrument is intended to be used to study properties of newly synthesized magnetic materials, phase separation phenomena and cluster nanostructure in lanthanide-doped optically-active glasses, and structural arrangements of membrane proteins and phospholipid nanoassemblies including:

1. Zero-field splitting energy for effective integer spin-systems of coupled spins that are spectroscopically silent at lower magnetic fields.

2. Spin-polarization phenomena in novel magnetic materials synthesized at the University.

3. Transmembrane location of membrane proteins.

Additionally, the instrument will be used for quantum computing experiments with essentially pure quantum state attained at magnetic fields above 11 Tesla for an ensemble of quantum dots and for experiments to lift degeneracy of quantum states of electronic spins by applying magnetic field.

Application accepted by
Commissioner of Customs: August 4, 2004.

Gerald A. Zerdy,

Program Manager, Statutory Import Programs Staff.

[FR Doc. 04-19271 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

University of California, Santa Cruz; Notice of Decision on Application for Duty-Free Entry of Electron Microscope

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Suite 4100W, Franklin Court Building, U.S. Department of Commerce, 1099 14th Street, NW., Washington, DC.

Docket Number: 04-014.

Applicant: University of California, Santa Cruz.

Instrument: Electron Microscope, Model JEM-1230.

Manufacturer: JEOL, Japan.

Intended Use: See notice at 69 FR 43805.

Order Date: January 29, 2004.

Comments: None received.

Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as the instrument is intended to be used, was being manufactured in the United States at the time the instrument was ordered.

Reasons: The foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of the instrument OR at the time of receipt of the application by U.S. Customs and Border Protection.

Gerald A. Zerdy,

Program Manager, Statutory Import Programs.

[FR Doc. 04-19269 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 081304B]

Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of receipt of an application for an exempted fishing permit; request for comments.

SUMMARY: NMFS announces receipt of an application for an exempted fishing permit (EFP) from the California Department of Fish and Game (CDFG). This EFP application applies to limited entry groundfish vessels that are used to fish for flatfish in Federal waters south of 40°10' N. lat. If awarded, this EFP would allow qualifying vessels to use a flatfish-selective small footrope trawl net to catch and retain groundfish in the trawl rockfish conservation area (RCA) and to retain groundfish species in excess of cumulative trip limits. Participating vessels would be required to use and carry state-sponsored samplers. This EFP proposal is intended to promote the objectives of the Pacific Coast Groundfish Fishery Management Plan (FMP) by providing data that can be used to enhance management of the groundfish fishery.

DATES: Comments must be received by September 7, 2004.

ADDRESSES: You may submit comments, identified by "I.D. 081304B" by any of the following methods:

- E-mail: EFP2004CAFlatfish.nwr@noaa.gov. Include the I.D. number above in the subject line of the message.

- Fax: 206-526-6736, Attn: Becky Renko.

- Mail: D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070, Attn: Becky Renko.

FOR FURTHER INFORMATION CONTACT: Becky Renko (206) 526-6140 or Carrie Nordeen at (206) 526-6144.

SUPPLEMENTARY INFORMATION: This action is authorized by the FMP and implementing regulations at 50 CFR 600.745.

The purpose of this exempted fishing activity would be to collect data on the rate at which unintended species, particularly overfished shelf rockfish such bocaccio and canary rockfish, are

taken in commercial catches when an experimental flatfish-selective trawl net is used. If awarded, this EFP would allow six vessels to use the flatfish-selective trawl nets to fish for flatfish in the Trawl RCA south of 40°10' N. latitude and to retain groundfish species in excess of cumulative trip limits. Participating vessels will be required to carry state-sponsored samplers to monitor fishing activities and collect data that are otherwise not available shoreside.

Shelf flatfish species are abundant and commercially important off California, however, the harvest of these species is constrained by efforts to rebuild overfished shelf rockfish species, particularly bocaccio and canary rockfish. In 2001 and 2002, the Oregon Department of Fish and Wildlife (ODFW) chartered commercial fishing vessels to develop and test flatfish-selective trawl nets. Testing was conducted to compare the new trawl net configurations with those that are typically used in the groundfish fishery. During the initial testing, a gear configuration similar to the design that is proposed for use under this EFP had significant reductions in the catch of overfished rockfish species relative to the catch of flatfish species. An EFP was issued to ODFW in 2003 to evaluate the performance of the experimental trawl net in the commercial flatfish fishery. This trawl net has since been referred to as "selective flatfish trawl gear."

Because this gear design meets the requirements of small footrope bottom trawl gear, as defined by regulations at 50 CFR 660, it is currently legal to use for fishing and it could become an effective way for fishery participants to reduce rockfish bycatch in the flatfish fishery south of 40°10' N. lat. Vessels participating under this EFP must submit a net plan and only gear that is consistent with the specified requirements may be used for EFP fishing. Fishing under this EFP will be restricted to areas outside of 3 nautical miles. The proposed EFP fishing period is from September 1 through December 31, 2004.

Data collected during this project are expected to benefit the management of the groundfish fishery by: (1) Providing catch rates by fishing location of species incidentally caught with the experimental flatfish-selective net, (2) allowing for the collection of biological data that is otherwise not available from landed catch, and (3) providing data that can be used to evaluate the full retention of rockfish as a management approach. The information gathered through this EFP may lead to future rulemaking.

The flatfish limits for limited entry trawl gear south of 40°10' N. lat., as currently published in the **Federal Register**, will be available to EFP participants. Vessels used to fish under the EFP may fish for these limits within the Trawl RCA as well as in areas not within the Trawl RCA. If the limits are lowered later in the year through an inseason adjustment, the current limits will continue to be allowed under the EFP. The total amount (discard plus retained) of flatfish allowed to be taken under this EFP is not expected to exceed 653 metric tons (mt) and the total amount (discard plus retained) of petrale sole is not expected to exceed 109 mt. The EFP fishing will be constrained by the following EFP limits for overfished species: bocaccio rockfish, 10.0 mt; cowcod, 0.5 mt; yelloweye rockfish, 0.5 mt; canary 0.5 mt; lingcod, 20.0 mt. If the total catch of any one of these overfished species reaches the EFP limit, the EFP will be terminated for the remainder of the 2004 fishing year. All harvests are expected to be within set asides for 2004 EFP harvests and, therefore, no optimum yield is expected to be exceeded.

In accordance with regulations, NMFS determined that CDFG's proposal warranted further consideration and, therefore, consulted with the Council. The Council considered the EFP application during its April 2003 meeting and recommended that NMFS issue the EFP. Contingent on review of public comments, NMFS intends to approve the EFP fishing. A copy of the application is available for review from NMFS (see **ADDRESSES**).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 18, 2004.

Alan D. Risenhoover,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E4-1881 Filed 8-20-04; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE

Office of the Secretary

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 proposes to alter a system of records to its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

The Office of the Secretary is proposing to alter the existing system of

records to add a new category of individuals covered, *i.e.*, Joint Staff Officials.

DATES: The changes will be effective on September 22, 2004, unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to OSD Privacy Act Coordinator, Records Management Section, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301-1155.

FOR FURTHER INFORMATION CONTACT: Ms. Juanita Irvin at (703) 601-4722, extension 110.

SUPPLEMENTARY INFORMATION: The Office of the Secretary of Defense notices for systems of records 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 systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, were submitted on August 13, 2004, to the House Committee on Government Reform, the Senate Committee on 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: August 17, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DWHS P48

SYSTEM NAME:

Biographies of OSD and WHS Officials (May 11, 2004, 69 FR 26079).

CHANGES:

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SYSTEM NAME:

Add 'JS' to entry.

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CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Add 'and the Joint Staff (JS)' to entry.

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AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with '10 U.S.C. 131, Office of the Secretary of Defense; 10 U.S.C. 192, Defense Agencies and Department of Defense Field Activities; oversight by the Secretary of Defense; and 10 U.S.C., Chapter 5, Chiefs of Staff'.

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