

replacement and bluff improvement project at La Jolla, CA, will result, at most, in a temporary modification in behavior by Pacific harbor seals by head alerts and/or flushing from the beach. While behavioral modifications may be made by these species as a result of demolition and construction activities, this behavioral change is expected to result in no more than a negligible impact on the affected species. While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity and the distance between the seals and the construction site, the number of potential harassment takings will be small, and no take by injury and/or death is anticipated. The project is not expected to interfere with any subsistence hunts. NMFS has therefore determined that the requirements of section 101(a)(5)(D) of the MMPA have been met and the authorization can be issued.

Authorization

NMFS has issued an IHA to the City of San Diego to take small numbers of Pacific harbor seals incidental to wall replacement and bluff improvement projects, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: November 15, 2004.

Laurie K. Allen,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 04-25741 Filed 11-18-04; 8:45 am]

BILLING CODE 3510-22-S

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in the Philippines

November 15, 2004.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner, Bureau of Customs and Border Protection adjusting limits.

EFFECTIVE DATE: November 22, 2004.

FOR FURTHER INFORMATION CONTACT: Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Bureau of Customs and Border

Protection Web site (<http://www.cbp.gov>), or call (202) 344-2650. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel Web site at <http://otexa.ita.doc.gov>.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current limit for Categories 638/639 is being increased for the partial undoing of special shift, decreasing the limit for Categories 338/339 to account for the quantity being returned to 638/639.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 69 FR 4926, published on February 2, 2004). Also see 68 FR 59923, published on October 20, 2003.

D. Michael Hutchinson,

*Acting Chairman, Committee for the
Implementation of Textile Agreements.*

Committee for the Implementation of Textile Agreements

November 15, 2004.

Commissioner,
*Bureau of Customs and Border Protection,
Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on October 14, 2003, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textiles and textile products and silk blend and other vegetable fiber apparel, produced or manufactured in the Philippines and exported during the twelve-month period which began on January 1, 2004 and extends through December 31, 2004.

Effective on November 22, 2004, you are directed to adjust the limits for the following categories, as provided for under the Uruguay Round Agreement on Textiles and Clothing:

Category	Twelve-month restraint limit ¹
Levels in Group I	
338/339	3,691,064 dozen.
638/639	2,954,972 dozen.

¹ The limits have not been adjusted to account for any imports exported after December 31, 2003.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,
D. Michael Hutchinson,

*Acting Chairman, Committee for the
Implementation of Textile Agreements.*

[FR Doc. E4-3261 Filed 11-18-04; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF DEFENSE

Department of the Army

Availability of Non-Exclusive, Exclusive License or Partially Exclusive Licensing of U.S. Patent Concerning Method and Apparatus for Making Body Heating and Cooling Garments

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR part 404.6, announcement is made of the availability for licensing of U.S. patent No. US 6,813,783 B2 entitled "Method and Apparatus for Making Body Heating and Cooling Garments" issued November 9, 2004. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Rosenkrans at U.S. Army Soldier and Biological Chemical Command, Kansas Street, Natick, MA 01760, Phone: (508) 233-4928 or e-mail Robert.Rosenkrans@natick.army.mil.

SUPPLEMENTARY INFORMATION: Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR part 404.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 04-25680 Filed 11-18-04; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement for the Athens Navigation Project, Village of Athens, Greene County, NY

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (USACE), New York District, is preparing a Draft Environmental Impact Statement (DEIS) to ascertain compliance with and to lead to the production of a National Environmental Policy Act (NEPA) document in accordance with the President's Council of Environmental Quality (CEQ) Rules and Regulations, as defined and

amended in 40 Code of Federal Regulations (CFR), parts 1500–1508, Corps principals and guidelines as defined in Engineering Regulation (ER) 1105–2–100, Planning Guidance Notebook, ER200–2–2, Procedures for Implementing NEPA, and other applicable Federal and State environmental laws for the proposed Athens Navigation Project, Village of Athens, Greene County, NY.

ADDRESSES: U.S. Army Corps of Engineers, New York District, 26 Federal Plaza, Room 2146, New York, NY 10278–0090.

FOR FURTHER INFORMATION CONTACT: Bonnie Hulkower, Project Biologist, Planning Division—Environmental Branch, at (212) 264–5798 or bonnie.hulkower@usace.army.mil.

SUPPLEMENTARY INFORMATION: This project is a modification to the Hudson River to Waterford project, authorized and directed by Section 110 of the Energy and Water Development Appropriations Act of 1997 (Pub. L. 104–206).

1. A Public Scoping Meeting was held in May 2002 and the results were collected in the Public Scoping Document. These results are available for review. All results from public and agency scoping coordination will be addressed in the DEIS. Parties interested in receiving the Scoping Document should contact Bonnie Hulkower (*see ADDRESSES*).

2. A DEIS is scheduled for completion by January 2005.

3. Federal agencies interested in participating as a Cooperating Agency are requested to submit a letter of intent to COL Richard J. Polo, Jr., District Engineer, (*see ADDRESSES*).

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 04–25681 Filed 11–18–04; 8:45 am]

BILLING CODE 3710–06–M

ELECTION ASSISTANCE COMMISSION

Information Collection Activity; Proposed Collection; Comment Request

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, EAC announces the proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary

for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received on or before close of business (5:30 p.m. e.s.t.) on Monday, December 6, 2004.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to the U.S. Election Assistance Commission, 1225 New York Avenue NW., Washington, DC 20005, ATTN: Mr. Brian Hancock or may be submitted by facsimile transmission at (202) 566–3127.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call Mr. Brian Hancock at (202) 566–3100.

Title and OMB Number: Military and Overseas Absentee Ballot Survey, OMB Number 6820–0NEW.

Needs and Uses: The information collection requirement is necessary to meet a requirement of the *Help America Vote Act (HAVA) of 2002* (42 U.S.C. 15301 *et seq.*). Section 703 of HAVA requires the states and local election jurisdictions to “submit a report to the Election Assistance Commission * * * on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election * * *.” HAVA further directs EAC to develop a form for the report of these statistics.

Affected Public: State or Local Government.

Annual Burden Hours: 5060 hours.

Number of Respondents: 55.

Responses Per Respondent: 1.

Average Burden Per Response: 92 hours.

Frequency: Following each federal general election (Bi-annually).

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

HAVA created the Election Assistance Commission and enacted numerous provisions aimed at improving the

administration of federal elections. This survey seeks information regarding the ballots requested and cast by military personnel and overseas citizens in the November 2, 2004 election. In addition, this information will assist EAC in studying the administration of that federal election, will provide insight into issues or problems that may require additional study and consideration, and will assist the EAC in providing a complete report to Congress on the successes and challenges related to the November 2, 2004 election. The following categories of information are requested on a countylocal election jurisdiction and State level:

Contact Information

State, name, title, address, phone, e-mail, and date of submission.

Absentee Ballots

- Number of absentee ballots transmitted to (a) domestic military, (b) overseas military, and (c) overseas citizens;
- Number of absentee ballots returned by (a) domestic military, (b) overseas military, and (c) overseas citizens;
- Number of advance or special write in ballots sent to military and overseas citizens;
- Number of absentee ballots returned by (a) mail, (b) fax, and (c) e-mail;
- Number of absentee ballots counted;
- Number of absentee ballots rejected for each of the following reasons, respectively: (a) Lacked postmark, (b) lacked voter's signature, (c) contained no verifiable signature, (d) had no date of signature, (e) had no notary or witness signature, (f) had no date of notary or witness signature, (g) was received after the state deadline, (h) was returned as undeliverable, or (i) was rejected for another reason;
- Number of Federal Write-In Absentee Ballots (FWAB).

Jurisdictions Responding

Total number of local jurisdictions, total number of local jurisdictions reporting, reasons for missing data, and the name and contact information for each local election jurisdiction official that provided information for the purpose of responding to the survey.

DeForest B. Soaries, Jr.,

Chairman, U.S. Election Assistance Commission.

[FR Doc. 04–25663 Filed 11–18–04; 8:45 am]

BILLING CODE 6820–YN–M