

7. Post-Shipment Export Financing

III. TOTAL AD VALOREM RATE**IV. ANALYSIS OF COMMENTS**

Comment 1: Denominator for the Pre-Shipment Export Financing Program
 Comment 2: Financial Contribution and Benefit under the Duty Entitlement Passbook Scheme (DEPS) Program
 Comment 3: Benefit Calculation for DEPS

Comment 4: Revision of Benefits under the Export Promotion Capital Goods Scheme (EPCGS)

Comment 5: Countervailability of the Bombay Relief Undertaking Act (BRU)

Comment 6: Recalculation of the Benefit to Essar under the BRU

Comment 7: Changes to Draft Customs Instructions

[FR Doc. 04-10884 Filed 5-12-04; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 051004C]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council's (Council) Ad Hoc Allocation Committee (Committee) will hold a working meeting, which is open to the public.

DATES: The Committee meeting will be held Thursday, May 27, 2004 from 8:30 a.m. until business is completed.

ADDRESSES: The Committee meeting will be held at the Embassy Suites Portland Airport Hotel, Cedar II and III Rooms, 7900 NE 82nd Ave., Portland, OR 97220; telephone: (503) 460-3000.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220-1384.

FOR FURTHER INFORMATION CONTACT: Mr. John DeVore, Groundfish Fishery Management Coordinator; telephone: (503) 820-2280.

SUPPLEMENTARY INFORMATION: The purpose of the Committee meeting is to develop options for allocations and other management measures for the 2005-06 Pacific Coast groundfish fishery. The Committee will discuss the types of provisions that may be necessary to prevent further overfishing,

to reduce bycatch of overfished species in the various groundfish fisheries, and to reduce bycatch in nongroundfish fisheries. In addition, the Committee may evaluate current catch levels of overfished groundfish species and propose inseason adjustments. No management actions will be decided by the Committee. The Committee's role will be development of recommendations for consideration by the Pacific Fishery Management Council at its June meeting in Foster City, CA.

Although non-emergency issues not contained in the meeting agenda may come before the Committee for discussion, those issues may not be the subject of formal Committee action during this meeting. Committee action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Committee's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

Dated: May 10, 2004.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 04-10900 Filed 5-12-04; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 050404B]

Endangered Species; Permit No. 1199

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

ACTION: Scientific research permit modification.

SUMMARY: Notice is hereby given that a request for modification of scientific research permit no. 1199 submitted by the Guam Department of Agriculture, Division of Aquatic and Wildlife Resources, Mangilao, Guam, has been granted.

ADDRESSES: The amendment and related documents are available for review

upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289, fax (301)713-0376; and

Protected Species Coordinator, Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Room 1110, Honolulu, HI 96814-4700; phone (808)973-2935; (808)973-2941.

FOR FURTHER INFORMATION CONTACT:

Patrick Opay, (301)713-1401 or Ruth Johnson, (301)713-2289.

SUPPLEMENTARY INFORMATION: The requested amendment has been granted under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the provisions of 50 CFR 222.306 of the regulations governing the taking, importing, and exporting of endangered and threatened fish and wildlife (50 CFR 222-226).

The modification extends the expiration date of the Permit from April 30, 2004, to April 30, 2005, for takes of green (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricata*) sea turtles. The permit authorizes the permit holder to capture, handle, measure, sample, tag, and release these species. The purpose of the research is to collect baseline population structure and genetic information for these sea turtles in and around Guam. We are also updating the list of investigators.

Issuance of this amendment, as required by the ESA was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of the threatened and endangered species which are the subject of this permit; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: May 7, 2004.

Stephen L. Leathery,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 04-10895 Filed 5-12-04; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal No. 04-06]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/OPS-ADMIN, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 04-06 with

attached transmittal, policy justification, and Sensitivity of Technology.

Dated: May 7, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001-06-M



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

5 MAY 2004
In reply refer to:
I-04/001109

The Honorable J. Dennis Hastert
Speaker of the House of
Representatives
Washington, D.C. 20515-6501

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act (AECA), as amended, we are forwarding herewith Transmittal No. 04-06, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services estimated to cost \$725 million. Soon after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

A handwritten signature in cursive script, reading "Richard J. Millies".

Richard J. Millies
Deputy Director

Attachments

Transmittal No. 04-06**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended**

- (i) **Prospective Purchaser: Japan**
- (ii) **Total Estimated Value:**

Major Defense Equipment*	\$593 million
Other	<u>\$132 million</u>
TOTAL	\$725 million
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: nine SM-3 Block 1A Standard missiles with MK 21 Mod 2 canisters, Ballistic Missile Defense (BMD) upgrades to one AEGIS Weapon System, AEGIS BMD Vertical Launch System ORDALTs, containers, spare and repair parts, supply support, U.S. Government and contractor technical assistance and other related elements of logistics support.**
- (iv) **Military Department: Navy (LUH)**
- (v) **Prior Related Cases, if any: numerous FMS cases pertaining to the AEGIS Weapon Systems and Standard missiles**
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: none**
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached**
- (viii) **Date Report Delivered to Congress: 5 MAY 2004**

* as defined in Section 47(6) of the Arms Export Control Act.



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

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Deputy Director

Attachments

Transmittal No. 04-06**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act****Annex
Item No. vii****(vii) Sensitivity of Technology:**

1. The SM-3 Block 1A Standard missile hardware includes the Propulsion Train (MK-72 Booster, MK 104 Second Stage, and the MK 136 Third Stage Rocket Motor), and the MK 142 Solid Divert and Attitude Control Section. The Propulsion Train is classified Confidential. The Guidance Sections for the propulsion train and the Kinetic Warhead are classified Secret. Certain operating frequencies and performance characteristics are classified Secret. Confidential documentation to be provided includes: parametric documents, general performance data, firing guidance, dynamics information, and some flight analysis procedures.

2. There will be modifications to the MK 41 Vertical Launch System (VLS). A modified MK 21 Mod 2 canister will serve as both the storage and launch container for the SM-3 missile. The MK 21 Mod 2 canister in conjunction with the MK 170 Mod 0 Sill Assembly and MK 18 Mod 1 canister adapter will provide proper gas management within the launcher for the SM-3 missile MK 72 booster. The MK 21 Mod 2 canister hardware and associated mechanical and electrical interface data are Unclassified.

3. Installation of the VLS Global Positioning System Integrator (VGI) includes initialization data enhancements to the fiber optic distribution system connecting the VGI to the missile to support tactical requirements. VGI capability will be accomplished through unclassified Commercial Off-the-Shelf products. The software associated with these enhancements is Unclassified, but the VGI capability is classified Confidential.

4. Further modifications include changes to the Launch Control System, consisting of the Launch Control Computer Program (LCCP) and Launch Sequencer hardware, to control training, warfare, decryption, and digital data processing. The U.S. Navy will perform lifecycle maintenance of the computer programs.

5. The AEGIS Weapon System hardware upgrades include modifications to the current SPY-1D and Command and Decision configurations. Modifications to the SPY-1D configuration include upgrading the signal processor cards and providing Mission Planner Laptops and System Calibration Using Satellites Laptops. While the hardware is Unclassified, the computer program systems are classified Secret. Command and Decision (C&D) modifications include providing a TAC-3600 adjunct computer and circuit card assemblies to provide an additional internal network path. While the hardware is Unclassified the computer programs running on the system are classified Secret. Interoperability enhancements include additional capability of secure communications and cueing via upgrading to a Common Data Link Management System. This will upgrade the Common Shipboard Data Terminal Set and the Command and Control Processor. Satellite TADIL-J functionality also will be incorporated, and the Joint Tactical Terminal will be installed. The U.S. Navy will perform lifecycle maintenance of the AEGIS Weapon System computer programs.

6. The AEGIS documentation in general is Unclassified; however, some operational and maintenance manuals are classified Confidential and one AEGIS maintenance manual supplement is classified Secret. The manuals and technical documents are limited to that necessary for operational organizational maintenance.

7. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

8. A determination has been made that Japan can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

[FR Doc. 04-10825 Filed 5-12-04; 8:45 am]

BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE

Office of the Secretary

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary, DoD.

ACTION: Notice to amend a system of records.

SUMMARY: The Office of the Secretary is amending one system of records notice in its inventory of records systems subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a).

DATES: The changes will be effective on June 14, 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 specific amendments to the records system being amended are set forth below followed by the notice, as amended, published in its entirety. The proposed amendments are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: May 7, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DSMC 06

SYSTEM NAME:

Defense Systems Management College (DSMC) Mailing Lists (February 2, 1993, 58 FR 10227).

CHANGES:

SYSTEM IDENTIFIER:

Delete entry and replace with "DAU 06".

SYSTEM NAME:

Delete entry and replace with "Defense Acquisition University Mailing Lists".

SYSTEM LOCATION:

Replace second paragraph with "Hard copy back up files (letter and card requests) are located in DAU Press, Defense Acquisition University, Building 206, Fort Belvoir, VA 22060-5565."

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Within entry, replace "Defense Systems Management College" and "DSMC" with "DAU".

CATEGORIES OF RECORDS IN THE SYSTEM:

Within entry, replace "DSMC" with "DAU".

AUTHORITY FOR THE MAINTENANCE OF THE SYSTEM:

Delete entry and replace with "10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness and Department of Defense Directive 5160.57, Defense Acquisition University."

PURPOSE(S):

Delete entry and replace with "Data is used by DAU to provide a mailing list

for the distribution of Defense Acquisition, Technology, and Logistics 'Acquisition Review Quarterly', surveys, and graduate registers."

* * * * *

STORAGE:

Delete entry and replace with "Primary file is computer database. Hard copy back-up files are paper records in locked file cabinets."

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RETENTION AND DISPOSAL:

Delete entry and replace with "The information (database entries) that constitute the Defense Acquisition University mailing lists are updated on a daily basis as new subscriptions and cancellations come in and as publications are returned for insufficient or undeliverable addresses. The DAU Press collects these changes and forwards them to Actionmail Company as least twice monthly. To further ensure the subscription databases are current the DAU Press, in conjunction with Actionmail, purges each mailing list as new subscriptions and cancellations are received. Destroy or correct individual records when revised or cancelled."

* * * * *

DAU 06

SYSTEM NAME:

Defense Acquisition University Mailing Lists.

SYSTEM LOCATION:

Primary location: Actionmail Company, 4825 Beech Place, Temple Hills, MD 20748-2030.

Hard copy back up files (letter and card requests) are located in DAU Press, Defense Acquisition University, Building 206, Fort Belvoir, VA 22060-5565.