

in the Delaware system only were to also receive an internal sonic transmitter. The permit has not been issued yet but Mr. Brundage has amended his application to include the use of laparoscopic techniques to assess the health and determine the sex of up to 50 fish annually in the Delaware system and Chesapeake Bay. This number is the total requested across both systems and is a subset of the fish listed above for capture. The laparoscopic activities would be in addition to the activities listed above.

Dated: September 17, 2004.

Stephen L. Leathery,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 091304B]

Marine Mammals; File No. 87-1743

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

ACTION: Issuance of permit and notice of request for additional species.

SUMMARY: Notice is hereby given that Dr. Daniel Costa, Department of Biology and Institute of Marine Sciences, University of California, Santa Cruz, California 95064 has been issued a permit to conduct scientific research on northern elephant seals (*Mirounga angustirostris*). Notice is also given that California sea lions (*Zalophus californianus*) may be incidentally harassed during the research, and this activity is requested for inclusion in the permit.

DATES: Written, telefaxed, or e-mail comments must be received on or before October 25, 2004.

ADDRESSES: The application and related documents are available for review

upon written request or by appointment in the following office(s):

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.

Written comments or requests for a public hearing should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile to (301)713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the applicable document identifier: File No. 87-1743.

FOR FURTHER INFORMATION CONTACT:

Amy Sloan or Ruth Johnson, 301/713-2289.

SUPPLEMENTARY INFORMATION: On April 7, 2004, notice was published in the **Federal Register** (69 FR 18352) that a request for a scientific research permit to take northern elephant seals had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216). The original notice and application did not include incidental harassment of California sea lions, which is requested for inclusion in the permit.

The permit authorizes continuation of a long-term study examining northern elephant seal population growth and status, mating and reproductive strategies, behavioral and physiological

adaptations for diving, general physiology and metabolism, energetics of reproduction and foraging, sleep apnea, and sensory capacities. The permit will expire five years after the date of issuance.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the research activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Dated: September 17, 2004.

Stephen L. Leathery,

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

[FR Doc. 04-21402 Filed 9-22-04; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 04-31]

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 04-31 with attached transmittal and policy justification.

Dated: September 17, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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