

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

[I.D. 010605A]

**Pacific Fishery Management Council; Public Meeting/Workshop**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Groundfish Stock Assessment Review (STAR) Panel for Pacific hake (Whiting) will hold a work session which is open to the public.

**DATES:** The Pacific hake (Whiting) STAR Panel meeting will be held beginning 1 p.m., February 1, 2005. The meeting will continue on February 2, 2005, beginning at 8:30 a.m. through February 3, 2005. The meetings will end at 5 p.m. each day, or as necessary to complete business.

**ADDRESSES:** The Pacific hake (Whiting) STAR Panel meeting will be held at the National Marine Fisheries Service, Northwest Fisheries Science Center, 2725 Montlake Boulevard East, Seattle, WA 98112; telephone: 206-860-3200.  
*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stacey Miller, Northwest Fisheries Science Center (NWFSC); telephone: 206-860-3480; or Mr. John DeVore, Pacific Fishery Management Council; telephone: 503-820-2280.

**SUPPLEMENTARY INFORMATION:** The purpose of this meeting is to review draft whiting stock assessment documents and any other pertinent stock information, work with the Stock Assessment Team to make necessary revisions to the draft whiting stock assessment, and produce a STAR Panel report for use by the Council family and other interested persons. No management actions will be decided by the STAR Panel. The STAR Panel's role will be development of recommendations and reports for consideration by the Council at its March meeting in Sacramento, California.

Entry to the NWFSC requires visitors to show a valid picture ID and register with security. A visitor's badge, which must be worn while at the NWFSC facility, will be issued to non-federal employees participating in the meeting.

Although nonemergency issues not contained in the meeting agenda may

come before the workshop participants for discussion, those issues may not be the subject of formal workshop action during this meeting. Workshop 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 workshop participants' 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: January 6, 2005.

**Alan D. Risenhoover,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E5-58 Filed 1-10-05; 8:45 am]

**BILLING CODE 3510-22-S**

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

[I.D. 010505A]

**Endangered Species; Permit No. 1429**

**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. 1429 submitted by the National Marine Fisheries Service, Southeast Fisheries Science Center (SEFSC) has been granted.

**ADDRESSES:** The modification 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)427-2521; and Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay 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 December 31, 2004, to December 31, 2005, for takes of green (*Chelonia mydas*), loggerhead (*Caretta caretta*), olive ridley (*Lepidochelys olivacea*), leatherback (*Dermochelys coriacea*), hawksbill (*Eretmochelys imbricata*) and Kemp's ridley (*Lepidochelys kempii*) sea turtles. The permit allows the SEFSC to conduct sea turtle bycatch reduction research in the pelagic longline fishery of the western north Atlantic Ocean. The purpose of the research is to develop and test methods to reduce bycatch that occurs incidental to commercial pelagic longline fishing.

Issuance of this modification, 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: January 5, 2004.

**Patrick Opay,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. 05-529 Filed 1-10-05; 8:45 am]

**BILLING CODE 3510-22-S**

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

[I.D. 010405A]

**Marine Mammals; File No. 376-1520**

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

**ACTION:** Issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Dr. James Hain, Associated Scientists at Woods Hole, Woods Hole, MA has been issued an amendment to a permit for scientific research on a variety of cetaceans in the North Atlantic, including endangered right whales (*Eubalaena glacialis*).

**ADDRESSES:** The amendment 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;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371; and

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

**FOR FURTHER INFORMATION CONTACT:** Dr. Tammy Adams or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

On June 23, 1999, notice was published in the **Federal Register** (64 FR 33470) that a request for a permit to conduct research on a variety of cetaceans had been submitted by the above-named individual. The permit, which authorizes harassment of marine mammals in the North Atlantic during close approaches for photo-identification and behavioral observations, was issued on March 10, 2000 (65 FR 14947; March 20, 2000). This minor amendment extends the expiration date for the permit from March 31, 2005 to March 1, 2006. This minor amendment does not authorize harassment of any additional marine mammals. Rather, it allows the permit holder an additional 11 months to complete any research remaining from the previous permit year.

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

Dated: January 6, 2004.

**Patrick O'pay,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. 05-526 Filed 1-10-05; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Manual for Courts-Martial; Proposed Amendments

**AGENCY:** Joint Service Committee on Military Justice (JSC).

**ACTION:** Notice of summary of public comment received regarding proposed amendments to the Manual for Courts-Martial, United States (2002 ed.).

**SUMMARY:** The JSC is forwarding final proposed amendments to the Manual for Courts-Martial, United States (2002 ed.) (MCM) to the Department of Defense. The proposed changes, resulting from the JSC's 2004 annual review of the MCM, concern the rules of procedure applicable in trials by courts-martial. The proposed changes have not been coordinated within the Department of Defense under DoD Directive 5500.1, "Preparation and Processing of Legislation, Executive Orders, Proclamations, and Reports and Comments Thereon," May 21, 1964, and do not constitute the official position of the Department of Defense, the Military Departments, or any other government agency.

This notice is provided in accordance with DoD Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice," May 3, 2003. This notice is intended only to improve the internal management of the Federal Government. It is not intended to create any right or benefit, substantive or procedural, enforceable at law by any party against the United States, its agencies, its officers, or any person.

In accordance with paragraph III.B.4 of the Internal Organization and Operating Procedures of the JSC, the committee also invites members of the public to suggest changes to the Manual for Courts-Martial in accordance with the described format.

**ADDRESSES:** Comments and materials received from the public are available for inspection or copying at the Office of the Judge Advocate General (Code 20), 716 Sicard St., SE., Suite 1000, Washington, DC 20374-5047, between 8 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander James Carsten, Executive Secretary, Joint Service Committee on Military Justice, Office of the Judge Advocate General, 716 Sicard St., SE., Suite 1000, Washington, DC 20374-5047, (202) 685-7298, (202) 685-7687 fax.

**SUPPLEMENTARY INFORMATION:**

### Background

On 15 September 2004, the JSC published a Notice of Proposed Amendments to the Manual for Courts-Martial and a Notice of Public Meeting to receive comment on its 2004 draft annual review of the Manual for Courts-Martial. On 15 October 2004, the public meeting was held. Five individuals attended the public meeting and provided oral comment. The JSC received sixteen letters commenting on the proposed amendments.

### Purpose

The proposed changes concern the rules of procedure applicable in trials by courts-martial. More specifically, the proposed changes: Amend Rules of Court-Martial and other provisions of the Manual to allow for remote testimony for certain Article 39(a), UCMJ sessions and presentencing witnesses; add the Manual for Courts-Martial provisions for newly enacted Article 119a, Death or Injury to an Unborn Child, enacted on 1 April 2004 in the Unborn Victims of Violence Act of 2004; and the addition of a new Article 134 offense of Patronizing a Prostitute.

### Discussion of Comments and Changes

In response to the request for public comment the JSC received oral and written comments. The JSC considered the public comments and, after making some minor amendments, is satisfied that the proposed amendments are appropriate to implement without additional modification. The JSC will forward the public comments and the proposed amendments to the Department of Defense.

Summaries of the oral and written comments regarding the proposed substantive changes follow:

a. In two submissions, one commentator objected to the remote testimony amendments to the Rules of Courts-Martial. The commentator objected, in part, because the commentator perceived that no rationale was provided for the proposed amendments. The commentator also considered the proposed amendments to be deleterious to the military justice system.

b. Three comments were received regarding the JSC proposed Manual provisions for the new Article 119a, Death or Injury to an Unborn Child. Most of the comments highlighted the fact that the statutory language may create some practical difficulties when an actual prosecution takes place under this provision. Other comments suggested creating a definition of