

**DEPARTMENT OF COMMERCE****International Trade Administration****North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Decision of Panel.

**SUMMARY:** On April 21, 2005 the binational panel issued its corrected decision in the review of the final injury determination on remand made by the International Trade Commission, respecting Carbon and Certain Alloy Steel Wire Rod from Canada Final Injury Determination, Secretariat File No. USA-CDA-2002-1904-09. The binational panel affirmed the International Trade Commission's determination on remand. Copies of the panel decision are available from the U.S. Section of the NAFTA Secretariat.

**FOR FURTHER INFORMATION CONTACT:** Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter has been conducted in accordance with these Rules.

*Panel Decision:* The panel affirmed the International Trade Commission's determination on remand respecting Carbon and Certain Alloy Steel Wire Rod from Canada. The panel has directed the Secretary to issue a Notice

of Final Panel Action on the 11th day following the issuance of the decision.

**Caratina L. Alston,**

*U.S. Secretary, NAFTA Secretariat.*

[FR Doc. E5-1993 Filed 4-26-05; 8:45 am]

**BILLING CODE 3510-GT-P**

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

[I.D. 042205A]

**Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

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

**ACTION:** Notification of a proposal for an EFP to conduct experimental fishing; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application contains all the required information and warrants further consideration. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to issue an EFP that would allow four vessels to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would allow for exemptions from the NE multispecies rolling closure area restrictions and the NE multispecies minimum mesh size requirements. The applicant proposes to conduct a study of an inclined separation panel, a bycatch reduction device, in order to examine the effectiveness of this type of gear at separating the catch of Atlantic cod, and other roundfish, from flatfish. The EFP would allow these exemptions for four commercial vessels for a combined total of 23 days at sea. All experimental work would be monitored by Manomet Center

for Conservation Sciences (Manomet) personnel.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before May 12, 2005.

**ADDRESSES:** Comments on this notice may be submitted by e-mail. The mailbox address for providing e-mail comments is [DA5-86@noaa.gov](mailto:DA5-86@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: "Comments on Manomet EFP Proposal for Inclined Separator Panel Study (DA5-86)." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Manomet EFP Proposal for inclined Separator Panel Study (DA5-86)." Comments may also be sent via fax to 978-281-9135.

**FOR FURTHER INFORMATION CONTACT:** Peter Cooper, Fishery Management Specialist, phone: 978-281-9122, fax: 978-281-9135.

**SUPPLEMENTARY INFORMATION:** An application for an EFP was submitted by Manomet on March 16, 2005. The EFP would exempt four federally permitted commercial fishing vessels from the following requirements in the FMP: NE multispecies Gulf of Maine (GOM) rolling closure area restrictions specified at 50 CFR 648.81(f)(1)(iii) and (f)(1)(iv) to provide an optimum mixture of cod and flatfish for testing the experimental gear; and the NE multispecies minimum mesh size requirements specified at § 648.80(a)(3)(ii) in order to allow the use of 4-inch (10.2-cm) mesh within the separator panel.

The goal of this study is to assess the applicability of this separator panel to separate cod and other roundfish from flatfish in the GOM NE multispecies fishery. Researchers would test a trawl net consisting of 6.5-inch (16.5-cm) diamond mesh throughout the net and codend, with a 4-inch (10.2-cm) diamond mesh inclined separation panel sewn into the end of the extension and the codend. The angle of the inclined panel and number of meshes in the panel would be initially set at values implemented in the Irish Sea fisheries that have been proven effective at separating cod and other roundfish from flatfish.

The study would be conducted from May 1, 2005, through July 15, 2005.

Inclined separation panel testing would take place aboard four different fishing vessels totaling 92, 1-hour trawls conducted over 23 days at sea. Fishing activities would take place within 30-minute squares 123, 124, 138, 139, 140, 146, and 147, outside of year-round closure areas. All legal catch would be landed and sold, consistent with the current daily and trip possession and landing limits. Undersized fish would not be retained at any time. The participating vessels would be required to report all landings in their Vessel Trip Reports.

The main species expected to be caught under this EFP are: 770 lb (350 kg) of Atlantic cod; 618 lb (281 kg) of monkfish; 270 lb (123 kg) of American plaice; 44 lb (20 kg) of haddock; 44 lb (20 kg) of winter flounder; 44 lb (20 kg) of witch flounder; 44 lb (20 kg) of yellowtail flounder; 44 lb (20 kg) of summer flounder; 2,640 lb (1,198 kg) of skate; 440 lb (200 kg) of crab; 440 lb (200 kg) of lobster; and 110 lb (50 kg) of sculpin. The applicant could request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions could be granted without further notice if they are deemed essential to facilitate completion of the proposed research and would result in only a minimal change in the scope or impact of the initially approved EFP request. The EFP could be made effective following publication of the EFP application in the **Federal Register**, with a 15-day public comment period.

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

Dated: April 22, 2005.

**Alan D. Risenhoover**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E5-1989 Filed 4-26-05; 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 by expanding the purposes, categories of

individuals covered, categories of records being maintained, and by adding three new routine uses.

**DATES:** The changes will be effective on May 27, 2005, 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 April 18, 2005, to the House Committee on Government Reform, the Senate Committee on Homeland Security and 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: April 18, 2005.

**Jeannette Owings-Ballard,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

#### DHA 07

##### SYSTEM NAME:

Military Health Information System (August 13, 2004, 69 FR 50171).

##### CHANGES:

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##### SYSTEM LOCATION:

Delete last sentence for Secondary location and replace with 'Program Executive Officer, Joint Medical Information Systems Office, 5109 Leesburg Pike, Suite 900, Skyline Building 6, Falls Church, Virginia 22041-3241. For a complete listing of all facility addresses write to the system manager.'

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Add to the end of the entry 'Uniformed services medical beneficiaries who receive or have received care at one or more dental treatment facilities or other system locations including medical aid stations,

Educational and Development Intervention Services clinics and Service Medical Commands. Uniformed service members serving in a deployed status and those who receive or received care through the Department of Veterans Affairs (VA).'

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Add a second paragraph to 'CLINICAL ENCOUNTER DATA' as follows: 'Electronic data regarding dental tests, pharmacy prescriptions and reports, data incorporating medical nutrition therapy and medical food management, data for young MHS beneficiaries eligible for services from the military medical departments covered by the Individuals with Disabilities Education Act (IDEA). Data collected within the system also allows beneficiaries to request an accounting of who was given access to their medical records prior to the date of request. It tracks disclosure types, treatment, payment and other Health Care Operations (TPO) versus non-TPO, captures key information about disclosures, process complaints, process and track request for amendments to records, generates disclosure accounting and audit reports, retains history of disclosure accounting processing'.

##### ADD TWO NEW ENTRIES AFTER 'CLINICAL DATA' AS FOLLOWS:

*Occupational and Environmental Exposure Data:* Electronic data supporting exposure-based medical surveillance; reports of incidental exposures enhanced industrial hygiene risk reduction; improved quality of occupational health care and wellness programs for the DoD workforce; hearing conservation, industrial hygiene and occupational medicine programs within the MHS; and timely and efficient access of data and information to authorized system users'.

*Medical and Dental Resources:* Electronic data used by the MHS for resource planning based on projections of actual health care needs rather than projections based on past demand'.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with 5 U.S.C. 301, Department Regulation; 10 U.S.C., Chapter 55; Pub. L. 104-91, Health Insurance Portability and Accountability Act of 1996; DoD 6025.18-R, DoD Health Information Privacy Regulation; 10 U.S.C. 1071-1085, Medical and Dental Care; 42 U.S.C. Chapter 117, Sections 11131-11152, Reporting of Information; 10 U.S.C. 1097a and 1097b, TRICARE Prime and TRICARE Program; 10 U.S.C. 1079, Contracts for Medical Care for