

U.S.C. 5812 note (Restriction on Assistance to the Government of Azerbaijan); Public Law 107-115 (Waiver of Section 907 of the Freedom Support Act); 7 U.S.C. 5201 *et seq.* (Agricultural Competitiveness and Trade—the Bumpers Amendment); The Foreign Assistance Act of 1961, as amended, including Chapter 11 of Part I, section 498A(b), Public Law 102-511, 22 U.S.C. 2295a(b) (regarding ineligibility for assistance); 22 U.S.C. 2420(a), section 660(a) of The Foreign Assistance Act of 1961, as amended (Police Training Prohibition); and provisions in the annual Foreign Operations, Export Financing, and Related Programs Appropriations Acts, concerning impact on jobs in the United States (*see, e.g.*, 536 of Pub. L. 106-113).

3. The collection of information is approved by the Office of Management and Budget, OMB Control Number 0625-0225. Public reporting for this collection of information is estimated to be six hours per response, including the time for reviewing instructions, and completing and reviewing the collection of information. All responses to this collection of information are voluntary, and will be protected from disclosure to the extent allowed under the Freedom of Information Act.

The use of Standard Forms 270, 424 and 424B is approved under OMB Control Numbers 0348-0004, 0348-0043 and 0348-0040, respectively. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB number. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Clearance Officer, International Trade Administration, Department of Commerce, Room 4001, 14th and Constitution Avenue, NW., Washington, DC 20230.

4. *Executive Order 12866*: It has been determined that this notice is not significant for purposes of E.O. 12866.

5. *Executive Order 13132*: It has been determined that this notice does not contain policies with Federalism implications as that term is defined in E.O. 13132.

6. *Administrative Procedure Act/Regulatory Flexibility Act*: Because prior notice and opportunity for public comment are not required by the Administrative Procedure Act for rules concerning public property, loans, grants, benefits and contracts (5 U.S.C.

553(a)(2)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice (5 U.S.C. 601 *et seq.*).

Dated: February 2, 2004.

**Tracy M. Rollins,**

*Director, SABIT Program.*

[FR Doc. 04-2457 Filed 2-4-04; 8:45 am]

**BILLING CODE 3510-HE-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 013004F]

#### Mid-Atlantic 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 Joint Mid-Atlantic Fishery Management Council (MAFMC) and the New England Fishery Management Council (NEFMC) Spiny Dogfish Committee will hold a public meeting.

**DATES:** The meeting will be held on Wednesday, February 18, 2004, from 9 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at the Comfort Inn Airport, 1940 Post Road, Warwick, RI; telephone: 401-732-0470.

*Council address:* Mid-Atlantic Fishery Management Council, 300 S. New Street, Room 2115, Dover, DE 19904.

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: 302-674-2331, ext. 19.

**SUPPLEMENTARY INFORMATION:** The purpose of this meeting is to identify issues to be included in the hearing draft of Amendment 1 to the Spiny Dogfish Fishery Management Plan.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified 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 Council'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 Joanna Davis at the Mid-Atlantic Council Office (*see ADDRESSES*) at least 5 days prior to the meeting date.

Dated: February 2, 2004.

**Peter H. Fricke,**

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

[FR Doc. 04-2415 Filed 2-4-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 013004E]

#### Endangered Species; File No.1295

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

**ACTION:** Receipt of application for modification

**SUMMARY:** Notice is hereby given that the NMFS Northeast Fisheries Science Center (Responsible Official- Dr. John Boreman), 166 Water Street, Woods Hole, MA 02543-1097, has requested a modification to scientific research Permit No. 1295.

**DATES:** Written or telefaxed comments must be received on or before March 8, 2004.

**ADDRESSES:** The modification request 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 Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371.

Written comments or requests for a public hearing on this request should be submitted 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 modification request would be appropriate.

Comments may also be submitted by facsimile at (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. Please note that comments will not be accepted by e-mail or other electronic media.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay, (301)713-1401 or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject modification request to Permit No. 1295, issued on June 4, 2001 (66 FR 29934) is requested under the authority of the Endangered Species Act of 1973, as amended (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).

Permit No. 1295 authorizes the permit holder to take 5 loggerhead (*Caretta caretta*), 1 leatherback (*Dermochelys imbricata*), 2 Kemp's ridley (*Lepidochelys kempii*), 1 hawksbill (*Eretmochelys imbricata*), and 2 green (*Chelonia mydas*) sea turtles for scientific research. The permit holder requests authorization: (1) to allow research designed to develop and test methods to reduce incidental bycatch that occurs in commercial pound net and scallop drag fisheries, and (2) to authorize sampling of turtles captured incidentally during the NEFSC biennial shark longline surveys. The permit holder proposes to take an additional 113 loggerhead, 2 green, 40 Kemp's ridley, and 2 leatherback sea turtles annually during the remaining 2 years of the permit. Turtles will be measured, flipper and PIT tagged, biopsied and released. A total of up to 4 loggerhead and 3 Kemp's ridley sea turtle interactions are expected to result in lethal takes. The research will be conducted in the shelf waters of the Atlantic Ocean from Cape Hatteras to the Gulf of Maine.

Dated: January 30, 2004.

**Amy C. Sloan,**

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

[FR Doc. 04-2417 Filed 2-4-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I. D. 012304B]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Application for an Exempted Fishing Permit

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of receipt of an application for an exempted fishing permit.

**SUMMARY:** This notice announces receipt of an application for an exempted fishing permit (EFP) from the Alaska Fisheries Development Foundation, Inc. (AFDF). If granted, this EFP would be used to support an AFDF project that investigates and develops hook-and-line techniques specific to the harvest of various rockfish species in the Gulf of Alaska (GOA) Southeast Outside District (SEO), which historically had been targeted by trawl gear, a gear type now prohibited in the SEO. The project is intended to promote the objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) by improving utilization of the rockfish resources in the SEO.

**ADDRESSES:** Copies of the EFP application may be obtained by writing to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, P. O. Box 21668, Juneau, AK 99802, Attn: Lori Durall.

**FOR FURTHER INFORMATION CONTACT:** Melanie Brown, 907-586-7228 or melanie.brown@noaa.gov.

**SUPPLEMENTARY INFORMATION:** NMFS manages the domestic groundfish fisheries in the GOA under the FMP. The North Pacific Fishery Management Council (Council) prepared the FMP under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing the groundfish fisheries of the GOA appear at 50 CFR parts 600 and 679. The FMP and the implementing regulations at §§ 679.6 and 600.745(b) authorize the issuance of EFPs to allow fishing that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing regulations.

NMFS received an application for an EFP from the AFDF. The purpose of this EFP is to support a project to develop and test hook-and-line gear for the harvest of rockfish species in the SEO that historically had been harvested with trawl gear. Trawl gear has been prohibited in the SEO since March 23, 1998, (63 FR 8356, February 19, 1998). The goal is to improve the utilization of rockfish resources in the SEO in ways that are consistent with Magnuson-Stevens Act national standard 1 which directs that conservation and management measures must achieve optimal yield from a fishery and national standard 5, which seeks to promote efficiency in the

utilization of fishery resources. The project, as described in the application, has two phases: (1) development of two rockfish-specific hook-and-line gear types that can be effectively handled on typical Southeast Alaska fishing vessels, and (2) comparative testing of the gear types developed in phase 1 in terms of catch of target rockfish species per unit of effort and incidental catch of nontarget species.

As an alternative to the use of trawl gear, which was prohibited in 1998, this EFP is necessary to allow the applicant to develop and test hook-and-line gear for rockfish in the SEO with certain exemptions from fishery closures and fish retention restrictions. The hook-and-line rockfish fisheries may close to prevent: (1) exceeding a total allowable catch (TAC) amount of a target species, (2) reaching overfishing levels of a non-target groundfish species, or (3) exceeding the prohibited species catch (PSC) limit for Pacific halibut.

Since the taking of rockfish is crucial for determining the effectiveness of hook-and-line gear in harvesting these species, and potential exists that the amount of some rockfish species taken during the EFP period would approach or exceed the TAC limits, the applicant has requested that rockfish taken during the testing not be counted toward the 2004 TAC amounts specified for the GOA under § 679.20. Counting rockfish taken during the testing phase against the TACs may create an additional burden on the hook-and-line industry by causing earlier closures of one or more hook-and-line fisheries. Although the EFP would allow the applicant to continue harvesting up to the amount specified in the permit, even if rockfish harvest amounts have resulted in the closure of one or more rockfish hook-and-line fisheries in the SEO, fishing activities would not be exempt from any hook-and-line fishery closures in the SEO that address overfishing concerns.

The EFP applicant has requested permission to retain and sell all rockfish species taken while fishing under the EFP. To accommodate this request, the EFP would exempt the applicant from one or more maximum retainable amounts specified in Table 10 of 50 CFR part 679. Since demersal shelf rockfish (DSR) are managed by the State of Alaska, which has special provisions for the retention and sale of DSR, the project is required to be conducted in compliance with the State's DSR regulations at 5 AAC 28.171, which allows full retention of DSR but limits the numbers of DSR that may be sold for revenue to the harvester. Sablefish and legal sized Pacific halibut would be retained within the limits of the