

included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 26, 2004.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-7513 Filed 4-2-04; 8:45 am]

BILLING CODE 3510-22-S

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 112803C]

RIN 0648-AR74

**Fisheries of the Exclusive Economic Zone Off Alaska; Rebuilding Overfished Fisheries**

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

**ACTION:** Approval of a fishery management plan amendment.

**SUMMARY:** NMFS announces the approval of Amendment 17 to the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner Crabs (FMP). This amendment is necessary to implement a rebuilding plan for the overfished stock of Pribilof Islands blue king crab. This action is intended to ensure that conservation and management measures continue to be based on the best scientific information available and is intended to achieve, on a continuing basis, optimum yield from the affected crab fisheries.

**DATES:** The amendment was approved on March 18, 2004.

**ADDRESSES:** Copies of Amendment 17 to the FMP and the Environmental Assessment (EA) prepared for the amendment are available from the Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Durall.

**FOR FURTHER INFORMATION CONTACT:** Gretchen Harrington, 907-586-7228 or [gretchen.harrington@noaa.gov](mailto:gretchen.harrington@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS declared the Pribilof Islands stock of blue king crab (*Paralithodes platypus*) overfished because the spawning stock biomass was below the minimum stock size threshold defined in the FMP. On September 23, 2002, NMFS notified the Council that the Pribilof Islands blue king crab stock was overfished (67 FR 62212, October 4, 2002). The Council then developed a rebuilding plan within

1 year of notification as required by section 304(e)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). In October 2003, the Council adopted Amendment 17, the rebuilding plan, to accomplish the purposes outlined in the national standard guidelines to rebuild the overfished stock.

Amendment 17 specifies a time period for rebuilding the stock intended to satisfy the requirements of the Magnuson-Stevens Act. Under the rebuilding plan, the Pribilof Islands blue king crab stock is estimated to rebuild, with a 50 percent probability, within 10 years. The stock will be considered "rebuilt" when it reaches the maximum sustainable yield stock size level in two consecutive years. This rebuilding time period is as short as possible and takes into account the status and biology of the stock, the needs of fishing communities, and the interaction of the overfished stock within the marine ecosystem, as required by the Magnuson-Stevens Act in section 304(e)(4)(A)(i).

The rebuilding harvest strategy, which closes the directed fishery until the stock is rebuilt, should result in more spawning biomass than allowing a fishery during the rebuilding period. With the directed fishery closed, more large male crab would be conserved and fewer juveniles and females would die due to incidental catch and discard mortality. More spawning biomass would be expected to produce larger year-classes when environmental conditions are favorable.

This conservative rebuilding plan is warranted at this time for this stock given the concerns regarding the rebuilding potential of this stock, the potential vulnerability to overfishing, and the poor precision of survey estimates. The other alternatives under consideration that would allow fishing prior to stock rebuilding would not provide sufficient safeguards for this vulnerable stock. The preferred alternative, while forgoing harvest in the short-term, is the strongest guarantee that stock abundance will increase and support a fishery in the long term. Once rebuilt, fishing communities would once again have opportunities (both fishing and processing) to participate in this fishery. As this rebuilding plan applies the same restrictions to all participants, the plan allocates the fishery restrictions fairly and equitably among sectors of the fishery. Likewise, the plan allocates all recovery benefits fairly and equitably among sectors of the fishery.

No additional habitat or bycatch measures are part of this rebuilding plan because neither habitat nor bycatch measures are expected to have a measurable impact in rebuilding. Habitat is thoroughly protected from fishing impacts by the existing Pribilof Islands Habitat Conservation Zone, which encompasses the majority of blue king crab habitat. Bycatch of blue king crab in both crab and groundfish fisheries is a negligible proportion of the total population abundance.

An EA was prepared for Amendment 17 that describes the management background, the purpose and need for action, the management alternatives, and the environmental and socioeconomic impacts of the alternatives. A copy of the EA can be obtained from the NMFS (see **ADDRESSES**).

A notice of availability for Amendment 17 to the FMP, which describes the proposed amendment and invited comments from the public, was published in the **Federal Register** on December 18, 2003 (68 FR 70484). Comments were invited through February 17, 2004.

**Response to Comments**

NMFS received one public comment on Amendment 17.

*Comment:* The comment expressed a concern that there is too much commercial overfishing and too many violations occurring in the crab fisheries. The comment raised the following five issues regarding crab fisheries management:

1. Let the public comment by email.
2. Immediately establish no fishing sanctuaries.
3. The 10-year rebuilding period is too long and NMFS should cut harvest levels by 50 percent this year and 10 percent each succeeding year.
4. Increase fines and jail violators of fishing regulations.
5. Establish enforcement at the dock to search for violations of fisheries regulations.

*Response:* 1. As of February 2, 2004, NMFS accepts public comments via email.

2. Existing closed areas protect blue king crab and their habitat from the effects of fishing. Trawl fishing is prohibited in the Pribilof Islands Habitat Conservation Zone established to protect crab habitat in the Pribilof Islands area. The State of Alaska established a no-fishing zone to protect blue king crab in state waters around the St. Matthews, Hall, and Pinnacles Islands.

3. The 10-year rebuilding time period is as short as possible and takes into

account the status and biology of the stock, the needs of fishing communities, and the interaction of the overfished stock within the marine ecosystem, as required by the Magnuson-Stevens Act in section 304(e)(4)(A)(i). Harvest levels do not need to be reduced, as the comment suggests, because harvests currently are prohibited. Under this rebuilding plan, the Pribilof Islands blue king crab fishery is closed until the stock rebuilds.

4. NMFS believes the fines and permit sanctions available under Magnuson-Stevens Act are sufficient to deter unlawful activity. Additionally, the Magnuson-Stevens Act does not provide authority for NMFS to jail violators of fishery regulations.

5. NMFS agrees that enforcement at the dock is an important component of ensuring compliance with fishery regulations, and, therefore, NMFS conducts dockside enforcement. NMFS determined that Amendment 17 to the FMP is consistent with the Magnuson-Stevens Act and other applicable laws and approved Amendment 17 on March 18, 2004. Additional information about this action is contained in the December 18, 2003, notice of availability (68 FR 70484).

Dated: March 29, 2004.

**Alan D. Risenhoover,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 04-7509 Filed 4-02-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF DEFENSE

### Department of Army

#### Armed Forces Institute of Pathology Scientific Advisory Board

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of open meeting.

**SUMMARY:** In accordance with 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463) announcement is made of the following open meeting:

*Name of Committee:* Scientific Advisory Board (SAB).

*Dates of Meeting:* May 13-14, 2004.

*Place:* The Armed Forces Institute of Pathology (AFIP), Building 54, 14th St. & Alaska Ave., NW., Washington, DC 20306-6000.

*Time:* 8:30 a.m.-5 p.m. (May 13, 2004).

8:30 a.m.-12 p.m. (May 14, 2004).

**FOR FURTHER INFORMATION CONTACT:** Mr. Ridgely Rabold, Office of the Principal Deputy Director (PDD), AFIP, Building 54, Washington, DC 20306-6000, phone

(202) 782-2553, e-mail:

*rabold@afip.osd.mil.*

**SUPPLEMENTARY INFORMATION:** *General function of the board:* The SAB provides scientific and professional advice and guidance on programs, policies and procedures of the AFIP.

*Agenda:* The Board will hear status reports from the AFIP Director, Principal Deputy Director, and each of the pathology sub-specialty departments, which the Board members will visit during the meeting.

*Open board discussions:* Reports will be presented on all visited departments. The reports will consist of findings, recommended areas of further research, improvement, and suggested solutions. New trends and/or technologies will be discussed and goals established. The meeting is open to the public.

**Brenda S. Bowen,**

*Alternate Army Federal Register Liaison Officer.*

[FR Doc. 04-7614 Filed 4-2-04; 8:45 am]

**BILLING CODE 3710-08-M**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Intent to Grant an Exclusive License to University Massachusetts Lowell

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.

**SUMMARY:** In accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i), announcement is made of the intent to grant an exclusive, royalty-bearing, revocable license to U.S. Patent Application No. 10,408,679 filed April 4, 2003, entitled "Polymeric Antioxidants" to University Massachusetts Lowell, with its principal place of business at 600 Suffolk Street, Second Floor South, Lowell, Massachusetts 01854.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Rosenkrans at U.S. Army Soldier Systems Center (SSC), Kansas Street, Natick, MA 01760, Phone; (508) 233-4928 or E-mail: *Robert.Rosenkrans@natick.army.mil.*

**SUPPLEMENTARY INFORMATION:** The prospective exclusive license will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted, unless within fifteen (15) days from the date of this published Notice, SSC receives written evidence and argument to establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37

CFR 404.7. The following Patent Application Number, Title and Filing date is provided:

*Patent Application:* 10/408,679.

*Title:* "Polymeric Antioxidants".

*Filed:* April 4, 2003.

**Brenda S. Bowen,**

*Alternate Army Federal Register Liaison Officer.*

[FR Doc. 04-7615 Filed 4-2-04; 8:45 am]

**BILLING CODE 3710-08-M**

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before May 5, 2004.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: ED Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or