

Column". This document corrects those errors.

#### **PART 774—[CORRECTED]**

■ In rule FR Doc. 04–7005, published on March 30, 2004 (69 FR 16478), make the following corrections. On page 16480, the middle column, correct the note to Export Control Classification Number 0A018, paragraph .c to read as follows:

**Note:** 0A018.c does not control weapons used for hunting or sporting purposes that were not specifically designed for hunting or sporting purposes that were not specially designed for military use and are not of the fully automatic type, but see 0A984 concerning shotguns.

■ On page 16480, the third column, in the Reason for Control paragraph of the License Requirements section of Export Control Classification Number 0E918, correct the third line in the Country Chart column to read: AT Column 1.

**Eileen Albanese,**

*Director, Office of Exporter Services.*

[FR Doc. 04–7808 Filed 4–5–04; 8:45 am]

**BILLING CODE 3510–33–P**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 312**

#### **Emergency Use of an Investigational New Drug; Technical Amendment**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Food and Drug Administration (FDA) is amending its regulations to reflect a change in address for the agency contacts for submitting an investigational new drug application (IND) in an emergency situation. This action is editorial in nature and is intended to improve the accuracy of the agency's regulations.

**DATES:** This rule is effective April 6, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mark I. Fow, Office of Emergency Operations (HFA–615), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–1240.

**SUPPLEMENTARY INFORMATION:** FDA is amending its regulations in part 312 (21 CFR part 312) to reflect a change in address for the agency contacts for submitting an IND in an emergency situation that does not allow time for submission of an IND in accordance

with § 312.23 or § 312.34. The current address for submission of investigational biological drugs in an emergency situation is the "Division of Biological Investigational New Drugs (HFB–230), Center for Biologics Evaluation and Research, 8800 Rockville Pike, Bethesda, MD 20892, 301–443–4864." The new address for investigational biological drugs regulated by the Center for Biologics Evaluation and Research is "Office of Communication, Training and Manufacturers Assistance (HFM–40), Center for Biologics Evaluation and Research, 301–827–2000." The current contact for submission of all other investigational drugs in an emergency situation is the "Document Management and Reporting Branch (HFD–53), Center for Drug Evaluation and Research, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4320." The new contact is the "Division of Drug Information (HFD–240), Center for Drug Evaluation and Research, 301–827–4570." The current contact for submitting requests for the Center for Biologics Evaluation and Research or the Center for Drug Evaluation and Research regulated products after normal working hours, eastern standard time, in an emergency situation is "FDA Division of Emergency and Epidemiological Operations, 202–857–8400." The new contact is "FDA Office of Emergency Operations (HFA–615), 301–443–1240."

Publication of this document constitutes final action on these changes under the Administrative Procedure Act (5 U.S.C. 553). Notice and public procedure are unnecessary because FDA is merely correcting nonsubstantive errors.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

#### **List of Subjects in 21 CFR Part 312**

Drugs, Exports, Imports, Investigations, Labeling, Medical research, Reporting and recordkeeping requirements, Safety.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 312 is amended as follows:

#### **PART 312—INVESTIGATIONAL NEW DRUG APPLICATION**

■ 1. The authority citation for 21 CFR part 312 continues to read as follows:

**Authority:** 21 U.S.C. 321, 331, 351, 352, 353, 355, 371; 42 U.S.C. 262.

■ 2. Section 312.36 is revised to read as follows:

#### **§ 312.36 Emergency use of an investigational new drug (IND).**

Need for an investigational drug may arise in an emergency situation that does not allow time for submission of an IND in accordance with § 312.23 or § 312.34. In such a case, FDA may authorize shipment of the drug for a specified use in advance of submission of an IND. A request for such authorization may be transmitted to FDA by telephone or other rapid communication means. For investigational biological drugs regulated by the Center for Biologics Evaluation and Research, the request should be directed to the Office of Communication, Training and Manufacturers Assistance (HFM–40), Center for Biologics Evaluation and Research, 301–827–2000. For all other investigational drugs, the request for authorization should be directed to the Division of Drug Information (HFD–240), Center for Drug Evaluation and Research, 301–827–4570. After normal working hours, eastern standard time, the request should be directed to the FDA Office of Emergency Operations (HFA–615), 301–443–1240. Except in extraordinary circumstances, such authorization will be conditioned on the sponsor making an appropriate IND submission as soon as practicable after receiving the authorization.

Dated: March 31, 2004.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

[FR Doc. 04–7734 Filed 4–5–04; 8:45 am]

**BILLING CODE 4160–01–S**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Parts 101 and 104**

[USCG–2004–17350]

#### **Interpretation of International Voyage for Security Regulations**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of interpretation.

**SUMMARY:** The Coast Guard is issuing an interpretation of the term "international voyage" as it is used in our recently-issued maritime security regulations. This interpretation will assist U.S. flag vessels operating in the waters of a foreign country in determining whether they must comply with the new International Ship and Port Facility

Security Code (ISPS) requirements of the International Convention for Safety of Life at Sea, 1974 (SOLAS).

**DATES:** Effective April 6, 2004.

Comments and related material must reach the Docket Management Facility on or before July 6, 2004.

**ADDRESSES:** You may submit comments identified by Coast Guard docket number USCG-2004-17350 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) Web Site: <http://dms.dot.gov>.

(2) Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001.

(3) Fax: 202-493-2251.

(4) Delivery: Room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

**FOR FURTHER INFORMATION CONTACT:** For questions on this notice, please contact Lieutenant Commander Martin Walker, Project Manager, Office of Compliance (G-MOC-1), U.S. Coast Guard Headquarters, telephone 202-267-1047. If you have questions on viewing or submitting material to the docket, call Ms. Andrea M. Jenkins, Program Manager, Docket Operations, telephone 202-366-0271.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

On October 22, 2003, we published a final rule entitled "Vessel Security" (68 FR 60483), which was one of six maritime security rules published in the *Federal Register* that date. The vessel security rule, specifically 33 CFR 104.297, requires owners or operators of U.S. flag vessels that are subject to the International Convention for Safety of Life at Sea, 1974, (SOLAS), to obtain an International Ship Security Certificate (ISSC), as described in 46 CFR 2.01-25, by July 1, 2004. The ISSC certifies that the ship has an approved ship security plan and that it complies with the applicable requirements of SOLAS chapter XI-2 and Part A, taking into account Part B, of the International Ship and Port Facility Security Code (ISPS).

In 33 CFR 101.105 of the "Implementation of National Maritime Security Initiatives" final rule, we included a definition of "international voyage" that applies to 33 CFR chapter I, subchapter H, including part 104, Vessel Security. To clarify one aspect of

this security-related definition, we are issuing this notice.

For purposes of vessel security, in interpreting 33 CFR 101.105 and 104.297, the Coast Guard will consider that each voyage of a U.S. vessel originates at a port in the United States, regardless of when the voyage actually began. Such a voyage is considered to continue, until such time as the U.S.-flagged vessel returns to the United States. U.S. vessels operating from a foreign port will be considered to be on an international voyage.

Therefore, any U.S. vessel that otherwise meets the applicable tonnage or capacity requirements in SOLAS for a cargo or passenger vessel that is engaged on an international voyage must meet ISPS requirements and obtain an ISSC, within the prescribed timeline.

#### Comments and Viewing Documents Referenced in This Notice

If you wish to submit comments regarding this notice, please send them to the Docket Management Facility at the address under **ADDRESSES**. All comments received will be posted, without change, to <http://dms.dot.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

**Submitting comments:** If you submit a comment, please include your name and address, and identify the docket number (USCG-2004-17350). You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8 1/2 by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope.

**Viewing comments and documents:** To view comments, as well as documents mentioned in this notice as being available in the docket, go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy Act:** Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the *Federal Register* published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

Dated: March 25, 2004.

**T.H. Gilmour,**

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety, Security and Environmental Protection.

[FR Doc. 04-7792 Filed 4-5-04; 8:45 am]

BILLING CODE 4910-15-U

## AMERICAN BATTLE MONUMENTS COMMISSION

### 36 CFR Part 400

#### Employee Responsibilities and Conduct; Removal of Superseded Regulations and Addition of Residual Cross-References

**AGENCY:** American Battle Monuments Commission (ABMC).

**ACTION:** Direct final rule.

**SUMMARY:** The American Battle Monuments Commission is repealing its superseded old agency employee responsibilities and conduct regulations, which have been replaced by the executive branch-wide Standards of Ethical Conduct and financial disclosure regulations issued by the Office of Government Ethics (OGE). In their place, the ABMC is adding a section of residual cross-references to those new provisions as well as to certain executive branch-wide conduct rules promulgated by the Office of Personnel Management (OPM).

**DATES:** This rule is effective May 6, 2004 without further action, unless adverse comment is received by May 5, 2004. If adverse comment is received, ABMC will publish a timely withdrawal of the rule in the *Federal Register*.

**ADDRESSES:** You may submit comments by any of the following methods: Federal Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Agency Web site: [www.abmc.gov](http://www.abmc.gov). Follow the instructions for submitting comments on the ABMC Web site. E-mail: [gloukhofft@abmc.gov](mailto:gloukhofft@abmc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Theodore Gloukhoff, Designated Agency Ethics Official, American Battle