

the review of the final results of the affirmative antidumping duty re-determination on remand made by the International Trade Administration (ITA) respecting Certain Softwood Lumber Products from Canada (Secretariat File No. USA-CDA-2002-1904-02) affirmed in part and remanded in part the determination of the Department of Commerce. The Department will return the second determination on remand no later than April 21, 2004. A copy of the complete panel decision is available from 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 the other 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).

*Panel Decision:* On March 5, 2004, the Binational Panel affirmed in part and remanded in part the Department of Commerce's final antidumping duty determination on remand. The following issues were remanded to the Department:

1. To recalculate Tembec's General and Administrative expense, using the amounts reflected in the company's books and records as expenses for the Forest Products Group;
  2. To calculate the by-product offset to West Fraser's production costs using the company's recorded revenues from chip sales to affiliates in British Columbia during the period of investigation; and
  3. To treat Slocan's futures trading profits as an adjustment to that company's indirect selling expenses.
- Commerce was directed to issue its determination on remand within 21

days of the issuance of the panel order dated March 31, 2004, or not later than April 21, 2004.

Dated: April 2, 2004.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*  
[FR Doc. 04-7933 Filed 4-7-04; 8:45 am]

**BILLING CODE 3510-GT-P**

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Manufacturing Extension Partnership National Advisory Board

**AGENCY:** National Institute of Standards and Technology Department of Commerce.

**ACTION:** Notice of partially closed meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that the Manufacturing Extension Partnership National Advisory Board (MEPNAB), National Institute of Standards and Technology (NIST), will meet Thursday, May 6, 2004, from 8 a.m. to 3:30 p.m. The MEPNAB is composed of nine members appointed by the Director of NIST who were selected for their expertise in the area of industrial extension and their work on behalf of smaller manufacturers. The Board was established to fill a need for outside input on MEP. MEP is a unique program consisting of centers in all 50 states and Puerto Rico. The centers have been created by state, federal, and local partnerships. The Board works closely with MEP to provide input and advice on MEP's programs, plans, and policies. The purpose of this meeting is to update the Board on the latest program developments at MEP including a MEP Update, a MEP Metrics Update and Other Agency Collaborations. Discussions scheduled to begin at 1 p.m. and to end at 3:30 p.m. on May 6, 2004, on MEP budget issues will be closed. All visitors to the National Institute of Standards and Technology site will have to pre-register to be admitted. Anyone wishing to attend this meeting must register 48 hours in advance in order to be admitted. Please submit your name, time of arrival, email address and phone number to Carolyn Peters no later than Tuesday, May 4, 2004 and she will provide you with instructions for admittance. Ms. Peter's email address is [carolyn.peters@nist.gov](mailto:carolyn.peters@nist.gov) and her phone number is 301/975-5607.

**DATES:** The meeting will convene May 6, 2004 at 8 a.m. and will adjourn at 3:30 p.m. on May 6, 2004.

**ADDRESSES:** The meeting will be held in the Employees' Lounge, Administration Building, at NIST, Gaithersburg, Maryland 20899. Please note admittance instructions under **SUMMARY** paragraph.

**FOR FURTHER INFORMATION CONTACT:**

Carrie Hines, Manufacturing Extension Partnership, National Institute of Standards and Technology, Gaithersburg, Maryland 20899-4800, telephone number (301) 975-3360.

**SUPPLEMENTARY INFORMATION:** The Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on December 18, 2003, that portions of the meeting which involve discussion of proposed funding of the MEP may be closed in accordance with 5 U.S.C. 552b(c)(9)(B), because that portion will divulge matters the premature disclosure of which would be likely to significantly frustrate implementation of proposed agency actions; and that portions of the meeting which involve discussion of the staffing of positions in MEP may be closed in accordance with 5 U.S.C. 552b(c)(6), because divulging information discussed in that portion of the meeting is likely to reveal information of a personal nature, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Dated: April 1, 2004.

**Hratch G. Semerjian,**

*Acting Director.*

[FR Doc. 04-7944 Filed 4-7-04; 8:45 am]

**BILLING CODE 3510-33-P**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040204C]

#### Endangered Species; File No. 1227

**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 Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037, has requested a modification to scientific research Permit No. 1227.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before May 10, 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 Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

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.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 1227.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay, (301)713-1410 or Patricia Lawson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject modification to Permit No. 1227, issued on May 1, 2000 (65 FR 25312) 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. 1227 authorizes the permit holder to capture leatherbacks (*Dermochelys coriacea*) from the wild or rescue them from ghost fishing gear. It authorizes the researchers to tissue sample, fat sample, flipper and PIT (passive integrated transponder) tag up to 100 of this species over the life of the 5 year permit. Twenty of these 100 may also be satellite tagged. The permit holder requests authorization to attach satellite transmitters using the harness backpack method allowed in the current permit on up to an additional 40 of the remaining leatherbacks that they are already permitted to take in the eastern Pacific Ocean nearshore to California and Oregon through December of 2005.

The information from this research is part of studies on the migration and habitat use of these species in the Pacific Ocean. The permit holder also requests authorization to conduct short-term tracking of 20 additional leatherbacks in the Monterey Bay area without having to capture them, using VHF/TDR (time depth recorder)/sonic tag units attached with suction cups. The VHF/TDR/sonic tag units will be used to study the short-term movements, dive behavior and foraging ecology of this species. They will provide fine-scale movements and diving behavior of leatherbacks in the vicinity of Monterey Bay and give important information regarding the foraging ecology of this species off the coast of California.

Dated: April 2, 2004.

**Patrick Opay,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. 04-7983 Filed 4-7-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040204B]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Applications for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a proposal for EFPs 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 an EFP application submitted by the Mount Desert Oceanarium (MDO), Southwest Harbor, ME, contains all of the required information and warrants further consideration. The EFP would allow one fishing vessel to fish for, retain, and land small numbers of regulated fish species and several unmanaged fish and invertebrate species for the purpose of public display. The Assistant Regional Administrator has made a preliminary determination that the activities authorized under these EFPs would be consistent with the goals and objectives of the Fishery Management Plans (FMPs) for these species. However,

further review and consultation may be necessary before a final determination is made to issue EFPs.

Regulations under the Magnuson-Stevens 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 April 23, 2004.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on MDO Specimen Collection." Comments may also be sent via fax to (978) 281-9135. Comments may also be submitted via e-mail to the following address: *da441@noaa.gov*. Include in the subject line of the e-mail "Comments on MDO Specimen Collection."

**FOR FURTHER INFORMATION CONTACT:** Catherine Tadema-Wielandt, Fishery Management Specialist, 978-281-9244.

**SUPPLEMENTARY INFORMATION:** The Mount Desert Oceanarium of Southwest Harbor, ME, submitted an application for three EFPs on March 10, 2004, to collect several species of fish and invertebrates for public display. The target species would include American plaice (dab), winter flounder (blackback), yellowtail flounder, witch flounder (grey sole), Atlantic halibut, monkfish, eel pouts, sculpins, sea raven, Atlantic cod, lumpfish, Atlantic wolffish, spiny dogfish, little skate, barndoor skate, and various species of the Phyla Arthropoda (excluding lobsters) and Echinodermata.

One chartered fishing vessel would use a shrimp otter trawl with 2-inch (5.08 cm) mesh to collect marine fish and invertebrates for a maximum of 4 days: 2 days during the period May 10, 2004, through May 19, 2004, and 2 days during the period June 23, 2004, through June 30, 2004. The specimens would be cared for in chilled and aerated seawater while on board the fishing vessel and would be transferred live to tanks the day they are caught. The fish would be brought to shore, maintained in tanks for public display for a period of time not to exceed 5 months, and would be returned to the sea in October 2004.

Collection would be made within the Small Mesh Northern Shrimp Fishery Exemption Area (Area) off Maine. Since the shrimp fishery will be closed at the time of the proposed collection, and this area lies within the Gulf of Maine Regulated Mesh Area, an exemption from the Northeast (NE) multispecies minimum mesh requirements of 6-inch