

Background

On June 18, 2008, Section 805 of Title VIII of the Tariff Act of 1930 (the Softwood Lumber Act of 2008) was enacted into law. Under this provision, the Secretary of Commerce is mandated to submit to the appropriate Congressional committees a report every 180 days on any subsidies provided by countries exporting softwood lumber or softwood lumber products to the United States, including stumpage subsidies. As part of its report, Commerce intends to include a list of subsidy programs identified with sufficient clarity by the public in response to this notice.

Request for Comment

Given the large number of countries that export softwood lumber and softwood lumber products to the United States, we are soliciting public comment only on subsidies provided by countries whose exports accounted for at least one percent of total U.S. imports of softwood lumber by quantity, as classified under Harmonized Tariff Schedule code 4407.1001 (which accounts for the vast majority of imports), during the period January 1 through June 30, 2008. Official U.S. import data published by the United States International Trade Commission Tariff and Trade DataWeb indicate that exports of softwood lumber from Brazil, Canada, Chile, and Germany each account for at least one percent of U.S. imports of softwood lumber products during that time period. We intend to rely on similar previous six-month periods to identify the countries subject to future reports on softwood lumber subsidies. For example, we will rely on U.S. imports of softwood lumber and softwood lumber products during the period July 1 through December 31, 2008, to select the countries subject to the next report.

Under U.S. law, a subsidy is defined as the situation in which a government authority: (i) Provides a financial contribution, (ii) provides any form of income or price support within the meaning of Article XVI of the GATT 1994, or (iii) makes a payment to a funding mechanism to provide a financial contribution to a person, or entrusts or directs a private entity to make a financial contribution, if providing the contribution would normally be vested in the government and the practice does not differ in substance from practices normally followed by governments, and a benefit is thereby conferred. See Section 771(5)(B) of the Tariff Act of 1930.

Parties should include in their comments: (1) The country which provided the subsidy, (2) the name of

the subsidy program, (3) a brief (3–4 sentence) description of the subsidy program, and (4) the government body or authority that provided the subsidy.

Submission of Comment

Persons wishing to comment should file a signed original and six copies of each set of comments by the date specified above. The Department will not accept comments accompanied by a request that a part or all of the material be treated confidentially due to business proprietary concerns or for any other reason. The Department will return such comments and materials to the persons submitting the comments and will not include them in its report on softwood lumber subsidies. The Department also requests submission of comments in electronic form to accompany the required paper copies. Comments filed in electronic form should be submitted on CD-ROM with the paper copies or by e-mail to the Webmaster below.

Comments received in electronic form will be made available to the public in Portable Document Format (PDF) on the Import Administration Web site at the following address: <http://ia.ita.doc.gov>. Any questions concerning file formatting, document conversion, access on the Internet, or other electronic filing issues should be addressed to Andrew Lee Beller, Import Administration Webmaster, at (202) 482-0866, e-mail address: webmaster-support@ita.doc.gov.

All comments and submissions should be mailed to Jill E. Pollack, Office of the Deputy Assistant Secretary for Import Administration; Subject: Softwood Lumber Subsidies Bi-Annual Report: Request for Comment; Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, by no later than 5 p.m., on the above-referenced deadline date.

Dated: October 22, 2008.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XK56

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery; 2009 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs

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

ACTION: Notice.

SUMMARY: NMFS is announcing that the quotas for the Atlantic surfclam and ocean quahog fisheries for 2009 remain status quo. Regulations governing these fisheries require NMFS to notify the public of the allowable harvest levels for Atlantic surfclams and ocean quahogs from the Exclusive Economic Zone in the **Federal Register** if the previous year's quota specifications remain unchanged.

ADDRESSES: Written inquiries may be sent to Edward Stern, National Marine Fisheries Service, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930-2298.

FOR FURTHER INFORMATION CONTACT: Edward Stern, Fishery Management Specialist, (978) 281-9177; fax (978) 281-9135.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Atlantic Surfclam and Ocean Quahog Fisheries (FMP) requires that NMFS issue notification in the **Federal Register** of the upcoming year's quota, even in cases where the quota remains unchanged from the previous year. At its June 2008 meeting, the Mid-Atlantic Fishery Management Council voted that no action be taken to change the quota specifications for Atlantic surfclams and ocean quahogs for the 2009 fishing year (January 1 through December 31, 2009), and recommended maintaining the 2008 quota levels of 3.4 million bu (181 million L) for Atlantic surfclams, 5.333 million bu (284 million L) for ocean quahogs, and 100,000 Maine bu (3.524 million L) for Maine ocean quahogs, as announced in the **Federal Register** on January 4, 2008 (73 FR 820).

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

Dated: October 22, 2008.

Emily H. Menashes,

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

[FR Doc. E8-25585 Filed 10-24-08; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XL41

Marine Mammals; File No. 10080

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

ACTION: Notice; receipt of application for permit amendment.

SUMMARY: Notice is hereby given that Dr. Kathryn A. Ono, Department of Biological Sciences, University of New England, Biddeford, ME, has applied for an amendment to Scientific Research Permit No. 10080-02.

DATES: Written, telefaxed, or e-mail comments must be received on or before November 26, 2008.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov/index.cfm>, and then selecting File No. 10080 from the list of available applications.

These documents are also available upon written request or by appointment in the following office(s):

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)427-2521; and Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9300; fax (978)281-9394.

Written comments or requests for a public hearing on this application 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 application would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, 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 e-mail comments is NMFS.Pr1Comments@noaa.gov. Include in the subject line of the e-mail comment the following document identifier: File No. 10080.

FOR FURTHER INFORMATION CONTACT: Tammy Adams or Kate Swails, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 10080-02 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Permit No. 10080, issued on December 18, 2007, (72 FR 72996), and subsequently amended on January 31, 2008, (Permit No. 10080-01 was a minor amendment, which required no **Federal Register** notice) and on April 8, 2008 (73 FR 22931) authorizes the permit holder to examine expanding populations of the Western North Atlantic stocks of harbor seals (*Phoca vitulina concolor*) and gray seals (*Halichoerus grypus*) in the Gulf of Maine. In addition to capture and sampling activities, the permit authorizes harassment of gray seals incidental to boat approaches to seals on haul outs. The current version of the permit, Permit No. 10080-02, is valid through December 31, 2012.

The permit holder is requesting the permit be amended to include authorization to: (1) remotely mark the pelage of adult gray seals of both sexes (200 per year) using the various dyes and paints already permitted for use on pups; (2) use an additional type of marking agent, an alcohol based- dye (Rhodamine B 500%), on pups and adults; (3) disturb an additional 400 non-target gray seals per year during the additional marking activities; and (4) disturb an additional 300 gray seals annually during field camp operations associated with conduct of the research. The permit holder also requests permission for the incidental research-related mortality of up to four gray seal pups annually.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**,

NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: October 22, 2008.

P. Michael Payne,

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

[FR Doc. E8-25560 Filed 10-24-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Closed Meeting of the Chief of Naval Operations Executive Panel

AGENCY: Department of the Navy, DoD.

ACTION: Notice; correction.

SUMMARY: The Department of the Navy published a document in the **Federal Register** on October 2, 2008, announcing a closed meeting of the Chief of Naval Operations Executive Panel. The original publication contained incorrect information.

FOR FURTHER INFORMATION CONTACT: CDR David Di Tallo, CNO Executive Panel, 4825 Mark Center Drive, Alexandria, VA 22311, telephone: 703-681-4908.

Correction

In the **Federal Register** of October 2, 2008, in FR Doc. E8-23227, make the following changes:

1. In the first column, on page 57342, correct the **SUMMARY** caption to read as follows:

“**SUMMARY:** The Chief of Naval Operations (CNO) Executive Panel will report on the findings and recommendations of the Subcommittee on Africa to the Chief of Naval Operations. The matters to be discussed during the meeting have been divided into the following four categories: Threats to U.S. security and interests in Africa; political, economic, and security assessments of key African nations and institutions; U.S. Navy security cooperation and engagement strategies; and a conclusion/summary of the classified discussions.

The CNO Executive Panel will report on the findings and recommendations of the Subcommittee on the Navy's Next Big Thing to the Chief of Naval Operations. The matters to be discussed during the meeting have been divided into the following three categories: Technological, organizational, and process related; and a conclusion/summary of the classified discussions.

Each topic under each of these headings is classified either secret or