

DEPARTMENT OF COMMERCE**International Trade Administration****University of Colorado; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, DC.

Docket Number: 98-064. Applicant: University of Colorado, Denver, CO 80217. Instrument: Ammonia Flux Analyzer, Model AMANDA-100. Manufacturer: ECN Fuels, The Netherlands. Intended Use: See notice at 63 FR 71268, December 24, 1998.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. Reasons: The foreign instrument provides: (1) 2-minute response time, (2) a detection limit of 10.0 ng of NH₃/m³ and (3) portable deployment. A domestic manufacturer of similar equipment advised February 8, 1999 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

Director, Statutory Import Programs Staff.
[FR Doc. 99-5021 Filed 2-26-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE**International Trade Administration****Application for Duty-Free Entry of Scientific Instrument**

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is

being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, DC 20230. Application may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC.

Docket Number: 99-001. *Applicant:* The Regents of the University of Michigan, MS3204 Medical Sciences I, 1301 Catherine, Ann Arbor, MI 48109-0602. *Instrument:* Electron Microscope, Model H-7500. *Manufacturer:* Hitachi Scientific Instruments, Japan. *Intended Use:* The instrument will be used to train medical students and house officers to evaluate tissue specimens in the practice of anatomic pathology for patients. *Application accepted by Commissioner of Customs:* February 11, 1999.

Frank W. Creel,

Director, Statutory Import Programs Staff.
[FR Doc. 99-5022 Filed 2-26-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 022299B]

Report to Congress; Impacts of Pinnipeds on Salmonids and West Coast Ecosystems

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

ACTION: Notice of availability.

SUMMARY: NMFS announces the availability of a Report to Congress on the impacts of California sea lions and Pacific harbor seals (pinnipeds) on salmonids and West Coast ecosystems. The report provides recommendations for addressing issues and problems with expanding pinniped populations on the West Coast. NMFS prepared this report in accordance with section 120(f) of the Marine Mammal Protection Act (MMPA).

ADDRESSES: Copies of the Report to Congress are available from NMFS, Northwest Regional Office, 7600 Sand Point Way, NE., Seattle, WA 98115. The report also can be obtained on the Internet at <http://www.nwr.noaa.gov>.

FOR FURTHER INFORMATION CONTACT: Joe Scordino (206) 526-6143, Irma

Lagomarsino (562) 980-4016, or Donna Wieting (301) 713-2322.

SUPPLEMENTARY INFORMATION: The 1994 amendments to the MMPA directed the Secretary of Commerce (Secretary) to conduct a 1-year scientific investigation to determine whether California sea lions and Pacific harbor seals were having (1) a significant negative impact on the recovery of salmonid fishery stocks that have been listed as endangered or threatened species under the Endangered Species Act (ESA) or that the Secretary finds are approaching endangered or threatened status or (2) broader impacts on the coastal ecosystems of Washington, Oregon, and California. Because NMFS did not have available resources and sufficient time to conduct rigorous field investigations on the issues identified by Congress within the specified 1-year timeframe, it established a Working Group in 1995 that focused the scientific investigation on a review of information from past field studies. The final Working Group report was published in March 1997 as a part of the NOAA technical memorandum series (NOAA Technical Memorandum NMFS-NWFSC-28) entitled, "Investigation of Scientific Information on the Impacts of California Sea Lions and Pacific Harbor Seals on Salmonids and on the Coastal Ecosystems of Washington, Oregon, and California." Copies of this report are available on the Internet at <http://www.nwfsc.noaa.gov/pubs/tm/tm28/tm28.htm>.

After completion of the scientific investigation, in accordance with the MMPA, NMFS, on behalf of the Secretary, entered into discussions with the Pacific States Marine Fisheries Commission (PSMFC), on behalf of Washington, Oregon, and California, to address issues or problems identified as a result of the scientific investigation and to develop recommendations to address such issues or problems. In February 1997, the discussions were completed, and NMFS prepared a draft report to Congress to recommend measures to address issues identified in the discussions with PSMFC and representatives of the coastal states. On March 28, 1997 (62 FR 14889), NMFS published notification in the **Federal Register** on the availability of the draft report to Congress for a 90-day public review and comment period. Over 300 letters and 3000 postcards commenting on the draft report were received.

After consideration of public comments, NMFS completed the Report to Congress. A summary of those comments with NMFS responses is

attached as an Appendix to the Report to Congress.

The two issues on pinniped impacts on salmonids and west coast ecosystems described in the Report are as follows:

1. California sea lion and Pacific harbor seal populations on the West Coast are increasing while many salmonid populations are decreasing. Salmonid populations that are depressed and declining, especially those that are listed or proposed to be listed under the ESA, can be negatively impacted by expanding pinniped populations and attendant predation.

2. Increasing California sea lion and Pacific harbor seal populations and their expanding distribution are impacting negatively commercial fisheries, affecting recreational fishing and private property, and posing threats to public safety.

The Report to Congress has four recommendations:

1. *Implement site-specific management for California sea lions and Pacific harbor seals.* Congress should consider a new framework that would allow state and Federal resource management agencies to immediately address conflicts involving California sea lions and Pacific harbor seals. This framework should provide a streamlined approach for Federal and state resource management agencies to take necessary and appropriate action with pinnipeds, including lethal taking when necessary, that are involved in resource conflicts. Any lethal takings would have to be within the Potential Biological Removal levels established by NMFS for all human causes of mortality.

The three components of the framework are as follows: (1) In situations where California sea lions or Pacific harbor seals are preying on salmonids that are listed as or proposed to be, candidates for listing under the ESA, immediate use of lethal removal by state or Federal resource agency officials would be authorized; (2) in situations where California sea lions or Pacific harbor seals are preying on salmonid populations of concern or are impeding passage of these populations during migration as adults or smolts, lethal takes by state or federal resource agency officials would be authorized if (a) non-lethal deterrence methods are underway and are not fully effective, or (b) non-lethal methods are not feasible in the particular situation or have proven ineffective in the past; and (c) in situations where California sea lions or Pacific harbor seals conflict with human activities, such as at fishery sites and marinas, lethal removal by state or Federal resource agency officials would be authorized after non-lethal deterrence has been ineffective.

2. *Develop safe, effective non-lethal deterrents.* In order to provide an array of options broader than lethal removal to resolve West Coast pinniped problems, there is a pressing need for research on the development and evaluation of deterrent devices and further exploration of other non-lethal removal measures. Potential options need to be evaluated in a concerted, adequately funded effort to address this issue. Research and development of pinniped deterrence methods should be a research priority for addressing expanding pinniped populations on the West Coast.

3. *Selectively reinstate authority for the intentional lethal taking of California sea lions and Pacific harbor seals by commercial fishers to protect gear and catch.* Prior to the 1994 Amendments to the MMPA, commercial fishers were allowed to kill certain pinnipeds, as a last resort, in order to protect their gear or catch. Although the 1992 NMFS legislative proposal contained provisions to continue such authority, it was not included in the 1994 Amendments to the MMPA. Congress should reconsider providing a limited authorization, based on demonstrated need, to certain commercial fishermen at specified sites to use lethal means, as a last resort, to protect their gear and catch from depredation by California sea lions and Pacific harbor seals until such time that effective non-lethal methods are developed for their specific situation.

4. *Information needs.* An array of additional information is needed to better evaluate and monitor California sea lion and Pacific harbor seal impacts on salmonids and other components of the West Coast ecosystems. Details of such studies are described in the Report to Congress.

The Report to Congress was submitted on February 10, 1999 to the House of Representatives Committee on Resources and to the Senate Committee on Commerce, Science, and Transportation in accordance with the MMPA. Congress will consider the report in the reauthorization of the MMPA. Copies of the Report to Congress are available to the public on request (see ADDRESSES).

Authority: 16 U.S.C. 1389(f).

Dated: February 22, 1999.

Hilda Diaz-Soltero,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 99-5007 Filed 02-26-99; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

Proposed Collection; Comment Request

AGENCY: Office of the Secretary, Defense Finance and Accounting Service, DOD.

ACTION: Notice.

SUMMARY: In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Defense Finance and Accounting Service announces the proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 30, 1999.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to the Denver Center, Defense Finance and Accounting Service, DFAS-DE/FYSA, ATTN: Vicki Holifield, 6760 East Irvington Place, Denver, CO 80279-3000.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call Vicki Holifield, 303-676-4743.

Title, Associated Form, and OMB Number: Request for Information Regarding Deceased Debtor.

Needs and Uses: This form is used to obtain information on deceased debtors from probate courts. Probate courts review their records to see if an estate was established. They provide the name and address of the executor or lawyer handling the estate. From the information obtained, we submit a claim against the estate for the amount due the United States.

Affected Public: Clerks of Probate Courts.

Annual Burden Hours: 833 hours.

Number of Respondents: 10,000.

Responses Per Respondent: 1.

Average Burden Per Response: 5 minutes.