

River. ESA-listed juvenile fish are proposed to be captured or acquired from Smolt Monitoring Program personnel, anesthetized, examined, allowed to recover from the anesthetic, and released. ESA-listed juvenile fish indirect mortalities are also requested. The modification is requested to be valid for the duration of the permit, which expires on December 31, 2000.

NWFSC requests a modification to permit 1140. Permit 1140 authorizes annual direct takes of juvenile, endangered, SnR fall chinook salmon and juvenile, threatened, SONCC coho salmon associated with a research study designed to assess the relationship between environmental variables, selected anthropogenic stresses, and bacterial and parasitic pathogens on disease-induced mortality of juvenile salmon in selected coastal estuaries in Oregon and Washington. Annual incidental takes of ESA-listed anadromous fish are also authorized by the permit. The results of the study will benefit ESA-listed species by providing a better understanding of how environmental factors influence disease. For the modification, NWFSC requests an annual direct take of juvenile, threatened, OC coho salmon. NWFSC proposes to collect ESA-listed juvenile coho salmon with seines, purse seines, and/or fyke nets in Salmon River and Tillamook, Yaquina, Alsea and Coos Bays. ESA-listed juvenile coho salmon are proposed to be lethally taken and analyzed for pathogen prevalence and intensity, chemical analyses, histopathology and stomach contents. NWFSC also requests an annual incidental take and incidental mortalities of juvenile, endangered, UCR spring chinook salmon. The modification is requested to be valid for the duration of the permit, which expires on December 31, 2002.

Permits and Modifications Issued

Notices were published on September 25, 1998 (63 FR 5134), and February 2, 1999 (64 FR 5030), that the USFWS had applied for modifications to scientific research permit 1058. Modification 1 to permit 1058 was issued on April 19, 1999, authorizing an increase in the annual take of adult, threatened, SnR fall chinook salmon associated with an effort to collect biological information from returning adults at Lower Granite Dam on the Snake River in Washington. Data from the larger sample will be used to estimate age composition of the run to provide better information for regulating Columbia River harvest. FWS is also authorized annual takes of juvenile, threatened, SnR fall chinook salmon

associated with a new study designed to examine hatchery steelhead residualism in the Clearwater River Basin of ID. The purpose of the research is to gain a better understanding of factors leading to residualism and interactions between residuals and wild or natural stocks of fish. Modification 1 is valid for the duration of the permit, which expires on December 31, 2001.

On April 15, 1999, NMFS issued modification 2 to scientific research permit 1174 to ERCI. Permit 1174 authorizes sampling for and collection of shortnose sturgeon in the Delaware River and Estuary system and in the lower Susquehanna River/Chesapeake Bay Complex. This sampling program is under contract to the NMFS Northeast Region, Protected Resources Division. The objectives of the study are to collect data on current distribution, abundance, length structure and movements of shortnose sturgeon in the Delaware River Estuary and in the lower Susquehanna River and Chesapeake Bay. Modification 2 increases the authorized annual incidental take of shortnose sturgeon in the Delaware River Estuary and in the lower Susquehanna River and Chesapeake Bay, due to evidence that the population of shortnose sturgeon in the Delaware River may be substantially higher than previously thought. This modification follows modification 1, which increased the authorized annual non-lethal take of shortnose sturgeon in the Delaware River. Modification 2 is valid for the duration of the permit, which expires on August 31, 2003.

Dated: April 20, 1999.

Kevin Collins,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 99-10406 Filed 4-23-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 033099A]

Marine Mammals; Permit No. 917 (P774#2)

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

ACTION: Scientific research permit amendment.

SUMMARY: Notice is hereby given that a request for amendment of scientific research permit no. 917 submitted by

The Northeast Fisheries Science Center, National Marine Fisheries Service, 166 Water Street, Woods Hole, MA 02543-1097, has been granted.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298 (508/281-9250); and

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432 (813/570-5312).

SUPPLEMENTARY INFORMATION: On February 9, 1999, notice was published in the **Federal Register** (64 FR 6326) that an amendment of permit no. 917, issued May 12, 1994 (59 FR 25892), had been requested by the above-named organization. The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the provisions of § 216.39 of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the provisions of § 222.25 of the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR 222.23).

Issuance of this amendment, as required by the ESA was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of the endangered species which is the subject of this permit; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 16, 1999.

Ann D. Terbush,

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

[FR Doc. 99-10293 Filed 4-23-99; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 99-07]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Pub. L. 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/COMPT/RM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 99-07, with attached transmittal, policy

justification, and Sensitivity of Technology.

Dated: April 20, 1999.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001-01-M



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

12 APR 1999
In reply refer to:
I-99/02104

Honorable J. Dennis Hastert
Speaker of the House of
Representatives
Washington, D.C. 20515-6501

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 99-07, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services estimated to cost \$500 million. Soon after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

A handwritten signature in black ink, appearing to read "MS Davison", is located below the "Sincerely," text.

MICHAEL S. DAVISON, JR.
LIEUTENANT GENERAL, USA
DIRECTOR

Attachments

Same ltr to: House Committee on International Relations
Senate Committee on Appropriations
Senate Committee on Foreign Relations
House Committee on National Security
Senate Committee on Armed Services
House Committee on Appropriations

Transmittal No. 99-07

**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act**

- (i) **Prospective Purchaser:** Australia
- (ii) **Total Estimated Value:**
 - Major Defense Equipment*** \$ 215 million
 - Other** \$ 285 million
 - TOTAL** \$ 500 million
- (iii) **Description of Articles or Services Offered:**

Eleven excess F-111 aircraft, 130 F-111 TF-30 excess engines, ALR-621 Radar Warning Receiver systems, aircraft storage, the repair, maintenance and testing of aircraft and engines for a one time flight in-country, cartridge/propellant actuated devices, support equipment, publications and technical data, spare and repair parts and other elements of logistics to ensure program supportability.
- (iv) **Military Department:** Air Force (QBD, Amendment 1 and QBF)
- (v) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** None
- (vi) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Annex attached.
- (vii) **Date Report Delivered to Congress:** 12 APR 1999

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION**Australia - F-111 Aircraft**

The Government of Australia has requested a possible sale of 11 excess F-111 aircraft, 130 F-111 TF-30 excess engines, ALR-62I Radar Warning Receiver systems, aircraft storage, the repair, maintenance and testing of aircraft and engines for a one time flight in-country, cartridge/propellant actuated devices, support equipment, publications and technical data, spare and repair parts and other elements of logistics to ensure program supportability. The estimated cost is \$500 million.

This proposed sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Australia while enhancing weapon system standardization and interoperability.

The proposed sale will provide Australia the ability to safely and economically maintain and operate their F-111s. Australia, which already has F-111 aircraft in its inventory, will have no difficulty absorbing these aircraft.

The proposed sale of this equipment and support will not affect the basic military balance in the region.

A prime contractor will not be required for the proposed sale. There are no offset agreements proposed to be entered into in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 99-07

**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act**

**Annex
Item No. vi**

(vi) Sensitivity of Technology:

1. The F-111 weapon system is unclassified except as stated below. It does, however, contain sensitive, state-of-the-art technology. Sensitive elements of the F-111 include the AN/APQ-169 attack radar, the AN/APQ-171 terrain-following radar, the AN/APN-236 Doppler radar, the AN/ALR-62 radar warning receiver, the AN/ALE-40 and AN/ALE-28 countermeasures dispenser sets, the AN/ARC-164 ultra-high frequency (UHF) Have Quick radio, the AN/AYK-18 mission computer, and the TF-30P-100 series engines.

2. Classified elements up to Secret of the F-111 include the stored software for the AN/ALR-62 radar warning receiver, the stored software for the AN/AYK-18 mission computer, the crypto communication codes for the AN/ARC-164 UHF Have Quick radio, and operating manuals and maintenance technical orders containing performance information, operating and test procedures, weapons delivery information, and other data related to support operation and repair. The software and data identified are classified to protect vulnerabilities, design, performance parameters, and munitions-related data.

3 If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.