

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

[I.D. 080197C]

**Marine Mammals; Scientific Research Permits (File Nos. 782-1399 and 878-1410)**

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

**ACTION:** Receipt of applications.

**SUMMARY:** Notice is hereby given that the following applicants have applied in due form for a permit to take marine mammals for purposes of scientific research.

National Marine Fisheries Service, National Marine Mammal Laboratory, 7600 Sand Point Way, NE, BIN C15700 - Building 1, Seattle, WA 98115-0070 (File No. 782-1399); and

University of Texas Medical Branch, Galveston, TX 77555-0555 (Principal Investigator: Dr. Daniel F. Cowan, Professor of Pathology) (File No. 878-1410).

**DATES:** Written or telefaxed comments must be received on or before September 8, 1997.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment. (SEE SUPPLEMENTARY INFORMATION).

Written comments or requests for a public hearing on these applications should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on a particular 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. Please note that comments will not be accepted by E-mail or other electronic media.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the

applications to the Marine Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject permits are requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), 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.*), the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR 222.23), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The National Marine Mammal Laboratory (File No. 782-1399) requests a permit to collect, import or export specimen materials from pinnipeds (excluding walrus) or cetaceans that were legally taken in the country of origin, killed incidental to commercial fishing or other operations, found dead at sea or stranded, and/or found dead of natural causes, from anywhere in the world these samples become available. The research conducted under permit will provide valuable information regarding the biology and life history of each species.

The University of Texas Medical Branch (File No. 878-1410) requests authority to obtain, import and export specimen materials from cetaceans and pinnipeds (except walrus) from anywhere in the world samples were legally taken. The purposes of the study are to: determine anatomic baselines for normal structures and tissues; determine the patterns of naturally occurring diseases and whether they change over time; whether stranding or other mortality can be attributed to environmental degradation or other human activity.

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.

Addresses: Applications and related documents are available in the following offices:

Permits and Documentation Division, Office of Protected Resources, NMFS,

1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221);

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

Northwest Region, NMFS, 7600 Sand Point Way, NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0070 (206/526-6150);

Southeast Region, NMFS, 9721 Executive Blvd. North, St. Petersburg, FL 33702-2432 (813/570-5301); and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802 (310/980-4001).

Dated: August 1, 1997.

**Ann D. Terbush,**

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

[FR Doc. 97-20850 Filed 8-6-97; 8:45 am]

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**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Transmittal No. 97-31]

**36(b)(1) Arms Sales Notification**

**AGENCY:** Department of Defense, Defense Security Assistance Agency.

**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, DSAA/COMPT/CPD, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 97-31, with attached transmittal, policy justification, and 620C(d).

Dated: July 31, 1997.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

BILLING CODE 5000-04-M



## DEFENSE SECURITY ASSISTANCE AGENCY

WASHINGTON, DC 20301-2800

24 JUL 1997

In reply refer to:  
I-50632/97

Honorable Newt Gingrich  
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. 97-31, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services estimated to cost \$75 million. Soon after this letter is delivered to your office, we plan to notify the news media.

You will also find attached a certification as required by Section 620C(d) of the Foreign Assistance Act of 1961, as amended, that this action is consistent with Section 620C(b) of that statute.

Sincerely,

A handwritten signature in cursive script, reading "Thomas G. Rhame", is positioned above the typed name and title.

Thomas G. Rhame  
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. 97-31

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

- (i) Prospective Purchaser: Turkey
- (ii) Total Estimated Value:
- |                          |              |
|--------------------------|--------------|
| Major Defense Equipment* | \$ 2 million |
| Other                    | \$73 million |
| TOTAL                    | \$75 million |
- (iii) Description of Articles or Services Offered:  
Three hundred rounds of 40mm high explosives and 24,000 rounds of 20mm ammunition, shipyard/port support services and post transfer activities relating to "hot ship" and "cold ship" turnover of three PERRY class frigates from the U.S. Navy, U.S. Government and contractor technical and logistics personnel support services, personnel training and training equipment, maintenance, repair and calibration services for shipboard equipment, publications and technical data/drawings, support equipment, spare and repair parts, and other elements of logistics support necessary to prepare the three PERRY class frigates for transfer to Turkey in a "Safe to Steam" condition with all combat systems in an operational status.
- (iv) Military Department: Navy (AGX, AGY, AGZ, BHM, BHN, GFT (Amendment 3), GGU, GGW, GGY, and JBW)
- (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:  
None
- (vii) Date Report Delivered to Congress: 24 JUL 1997

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

POLICY JUSTIFICATIONTurkey - Ammunition and Support Services

The Government of Turkey has requested the purchase of 300 rounds of 40mm high explosives and 24,000 rounds of 20mm ammunition, shipyard/port support services and post transfer activities relating to "hot ship" and "cold ship" turnover of three PERRY class frigates from the U.S. Navy, U.S. Government and contractor technical and logistics personnel support services, personnel training and training equipment, maintenance, repair and calibration services for shipboard equipment, publications and technical data/drawings, support equipment, spare and repair parts, and other elements of logistics support necessary to prepare the three PERRY class frigates for transfer to Turkey in a "Safe to Steam" condition with all combat systems in an operational status. The estimated cost is \$75 million.

This sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Turkey a major NATO ally while furthering weapon system standardization and interoperability.

Turkey needs the weapons and ammunition to load out three PERRY class frigates. These frigates will enable Turkey to continue its naval modernization program by supplementing eight operational KNOX class frigates previously transferred in CY 93 and CY 94. The PERRY class frigates are intended as replacements for other aging naval vessels which will be retired. The weapons and equipment in this program are currently operational in the Turkish navy and will be provided in accordance with, and subject to the limitations on use and transfer provided for under the Arms Export Control Act, as embodied in the terms of sale. This sale will not adversely affect either the military balance in the region or U.S. efforts to encourage a negotiated settlement of the Cyprus question. Turkey will have no difficulty absorbing these weapons and equipment into its naval forces.

There are no offset agreements proposed in connection with this sale.

The U.S. Government and contractor technical and logistics in-country personnel requirements will be determined following consultations with representatives of the Turkish navy.

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

July 24, 1997

Certification Under Section 620C(d)  
Of The Foreign Assistance Act of 1961, As Amended

Pursuant to section 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163 (sec. 1-201(a)(13)) and State Department Delegation of Authority No. 145 (sec. 1(a)(1)), I hereby certify that the furnishing to Turkey of weapons, ammunition, and support services for three PERRY-class frigates at an estimated cost of \$75 million, is consistent with the principles contained in section 620C(b) of the Act.

This certification will be made part of the notification to the Congress under section 36(b) of the Arms Export Control Act regarding the proposed sale of the above-named articles and services, and is based on the justification accompanying said notification, of which said justification constitutes a full explanation.

 7/24/97  
Lynn E. Davis