

the increased gray whale stranding rate has continued. NMFS is currently investigating these mortalities independent of the already concluded status review process and will issue a report in 2000.

**ADDRESSES:** A copy of the Status Review is available by writing to Donna Wieting, Acting Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Hwy, Silver Spring MD 20910-3282 or by telephoning the individual listed (see FOR FURTHER INFORMATION CONTACT).

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hollingshead, NMFS, 301-713-2055.

**SUPPLEMENTARY INFORMATION:** Under the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*; the MMPA), NMFS has jurisdiction over most marine mammal species, including whales. Under section 4(a) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*; the ESA) and 50 CFR part 424, NMFS makes determinations as to whether a species should be listed as endangered or threatened, or whether it should be reclassified or removed from the List. Accordingly, NMFS has conducted comprehensive evaluations of the status of the Eastern North Pacific gray whale stock. The first review was conducted in 1984, followed by another review in 1990 (56 FR 29471, June 27, 1991). These evaluations were conducted in terms of factors contained in section 4(a)(1) of the ESA for listing and delisting actions. The best available abundance estimate (21,296; CV = 6.05%; 95% CI = 18,900 to 24,000) and average annual rate of increase (3.29%; SE = 0.44%) indicated that this stock no longer met the standards for classification as an endangered species. An extensive public comment period was provided (56 FR 58869, November 22, 1991). On 7 January 1993 (58 FR 3121), NMFS published a final notice of determination that this whale stock had recovered to near its estimated pre-exploitation population size. Although individual and cumulative impacts might have the potential to adversely affect these whales, it was determined that this stock was neither in danger of extinction throughout all or a significant portion of its range, nor was it likely to again become endangered within the foreseeable future. NMFS determined, therefore, that the Eastern North Pacific stock of gray whales should no longer be considered endangered. On June 3, 1994, NMFS announced the availability of a draft plan (A 5-year Plan for Research and Monitoring of the Eastern North Pacific Population of Gray

Whales) to review and comment on the research pertinent to this decision to delist gray whales, as required under section 4(g) of the ESA. Effective June 16, 1994 (59 FR 31094), as a result of NMFS' determination, the U.S. Fish and Wildlife Service (USFWS) removed this whale stock from the List under the ESA. Concurrent with that action, NMFS amended the list of endangered species under its jurisdiction (50 CFR part 222), removing the Eastern North Pacific gray whale stock. Abundance and trends in the population's growth were sufficient to allow this stock to be removed from the List without going through an interim consideration period as a threatened stock.

Changes to the listing of the Eastern North Pacific gray whale stock did not affect the fact that the Western North Pacific ("Korean") gray whale stock has not recovered and should continue to be considered endangered.

A workshop was convened by NMFS at NMML in Seattle, Washington, on March 16-17, 1999, to review the status of the Eastern North Pacific stock of gray whales based on research conducted during the 5-year period following the delisting of this stock. The workshop followed guidelines outlined in the NMFS 5-year Plan to conduct the status review and recommend whether to (1) continue the monitoring program for an additional 5-year period; (2) terminate the monitoring program; or (3) consider changing the status of the gray whale under the ESA. The 28 invited participants determined that this stock was neither in danger of extinction, nor was it likely to again become endangered within the foreseeable future, according to the determining factors listed in section 4(a)(1) of the ESA. Therefore, there was no apparent reason to reverse the previous decision to delist this stock from the List. There was a consensus among participants that this stock of gray whales should continue to be monitored for an additional 5-year period (1999-2004).

Canada's Committee on the Status of Endangered Wildlife in Canada lists the "Northeast Pacific population" of gray whale as "not at risk." This is the lowest category for animals in their classification system, which also includes vulnerable, threatened, endangered, extirpated, and extinct.

Although the Eastern North Pacific stock of gray whales no longer receives protection under the ESA, it continues to be protected under the MMPA, and subsistence take is managed under quotas set by the International Whaling Commission. The delisting of this stock does not in any way alter the status of the still endangered Western North

Pacific ("Korean") stock of gray whales. There is no allowable commercial take of any gray whales, and the Convention on the International Trade in Endangered Species regulates the transportation of animal parts. Furthermore, if there is evidence of a significant negative decline and research indicates that such a change would be warranted, this stock can be proposed to be listed again as threatened or endangered under the ESA.

This review concludes the 5-year status review required by section 4(g)(1) of the ESA, that commenced on June 16, 1994 (59 FR 31094), when the USFWS removed this whale stock from the List.

Dated: September 29, 1999.

**Art Jeffers,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*  
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## CONSUMER PRODUCT SAFETY COMMISSION

### Proposed Collection; Comment Request—Collection of Information for Children's Sleepwear

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission (CPSC) requests comments on a proposed extension of approval, for a period of three years from the date of approval by the Office of Management and Budget (OMB), of a collection of information from manufacturers and importers of children's sleepwear. This collection of information is in the Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X and the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 and regulations implementing those standards. See 16 CFR Parts 1615 and 1616. The children's sleepwear standards and implementing regulations establish requirements for testing and recordkeeping by manufacturers and importers of children's sleepwear.

The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from OMB.

**DATES:** The Office of the Secretary must receive written comments not later than December 6, 1999.

**ADDRESSES:** Written comments should be captioned "Children's Sleepwear, Collection of Information" and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Written comments may also be sent to the Office of the Secretary by facsimile at (301) 504-0127 or by e-mail at [cpssc@cpsc.gov](mailto:cpssc@cpsc.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the proposed extension of approval of the collection of information, or to obtain a copy of 16 CFR Parts 1615 and 1616, call or write Linda L. Glatz, Office of Planning and Evaluation, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0416, extension 2226.

**SUPPLEMENTARY INFORMATION:**

**A. The Standards**

Children's sleepwear in sizes 0 through 6X manufactured for sale in or imported into the United States is subject to the Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X (16 CFR Part 1615). Children's sleepwear in sizes 7 through 14 is subject to the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 (16 CFR Part 1616). The children's sleepwear flammability standards require that fabrics, seams, and trim used in children's sleepwear in sizes 0 through 14 must self-extinguish when exposed to a small open-flame ignition source. The children's sleepwear standards and implementing regulations also require manufacturers and importers of children's sleepwear in sizes 0 through 14 to perform testing of products and to maintain records of the results of that testing. 16 CFR Part 1615, Subpart B; 16 CFR Part 1616; Subpart B. The Commission uses the information compiled and maintained by manufacturers and importers of children's sleepwear to help protect the public from risks of death or burn injuries associated with children's sleepwear. More specifically, the Commission reviews this information to determine whether the products produced and imported by the firms comply with the applicable standard. Additionally, the Commission uses this information to arrange corrective actions if items of children's sleepwear fail to comply with the applicable standard in a manner that creates a substantial risk of injury to the public.

OMB approved the collection of information in the children's sleepwear standards and implementing regulations

under control number 3041-0027. OMB's most recent extension of approval will expire on December 31, 1999. The Commission proposes to request an extension of approval without change for the collection of information in the children's sleepwear standards and implementing regulations.

**B. Estimated Burden**

The Commission staff estimates that about 63 firms manufacture or import products subject to the two children's sleepwear flammability standards. The Commission staff estimates that these standards and implementing regulations will impose an average annual burden of about 1,650 hours on each of those firms. That burden will result from conducting the testing required by the standards and maintaining records of the results of that testing required by the implementing regulations. The total annual burden imposed by the standards and regulations on all manufacturers and importers of children's sleepwear will be about 103,950 hours. The hourly wage for the testing and recordkeeping required by the standards and regulations is about \$30, for an annual cost to the industry of about \$3,118,500.

The Commission will expend approximately three months of professional staff time and travel costs annually for reviewing and evaluating the records maintained by manufacturers and importers of children's sleepwear subject to the standards. The annual cost to the Federal government of the collection of information in the sleepwear standards and implementing regulations is estimated to be \$17,000.

**C. Request for Comments**

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological

collection techniques, or other forms of information technology.

Dated: September 29, 1999.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**U.S. Strategic Command Strategic Advisory Group**

**AGENCY:** Department of Defense, USSTRATCOM.

**ACTION:** Notice.

**SUMMARY:** The Strategic Advisory Group (SAG) will meet in closed session on October 21 and 22, 1999. The mission of the SAG is to provide timely advice on scientific, technical, and policy-related issues to the Commander in Chief, U.S. Strategic Command, during the development of the nation's strategic war plans. At this meeting, the SAG will discuss strategic issues that relate to the development of the Single Integrated Operational Plan (SIOP). Full development of the topics will require discussion of information classified TOP SECRET in accordance with Executive Order 12958, April 17, 1995. Access to this information must be strictly limited to personnel having requisite security clearances and specific need-to know. Unauthorized disclosure of the information to be discussed at the SAG meeting could have exceptionally grave impact upon national defense.

In accordance with section 10(d) of the Federal Advisory Committee Act, (5 U.S.C. App. 2), it has been determined that this SAG meeting concerns matters listed in 5 USC 552b(c) and that, accordingly, this meeting will be closed to the public.

Dated: September 30, 1999.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, DoD.*

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**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**Correction to Notice of Availability of Government-Owned Invention for Licensing**

**AGENCY:** Department of the Navy, DOD.