TSA appreciates the privacy risk inherent in any airline prescreening program in which passenger name record information is provided to the Federal Government for use in conducting the prescreening. However, TSA also recognizes that the risk is necessary for ensuring the security of our air transportation system. TSA believes it has taken action to mitigate any privacy risk by designing its next generation passenger prescreening program to accommodate concerns expressed by privacy advocates, foreign counterparts and others.

First, under the Secure Flight testing phase, TSA will not require air carriers to collect any additional information from their passengers than is already collected by such carriers and maintained in passenger name records. Testing of the Secure Flight program will compare only existing PNR record information against names in the TSDB in order to determine how effectively existing PNR information can be compared against such names, how many instances of false positive matches occur, and what, if any additional limited data, would be most effective in reducing the number of such false positive hits. TSA envisions that carriers may be required to collect full passenger name and possibly one other element of information under a fully implemented operational Secure Flight program. However, TSA will not make such determination until the initial test phase results can be assessed and an additional Privacy Impact Assessment is published.

Second, the Secure Flight program will permit TSA to take on sole responsibility for conducting passenger name comparisons against a consolidated TSDB watch list, rather than continuing to require multiple individual air carriers to conduct such comparisons. TSA will be able to apply improved prescreening procedures, including more consistent analytical procedures, for identifying actual name matches and for resolving false positive name matches prior to a passengers' arrival at an airport, than can currently be applied by the individual air carriers that currently administer the watch list comparisons. TSA expects that the number of individuals currently subjected to automatic secondary screening will be reduced under an implemented Secure Flight program.

Third, Secure Flight will mitigate impact on personal privacy because of its limited purpose and anticipated limited retention period. Secure Flight will focus screening efforts only on identifying individuals known or reasonably suspected to be terrorists or engaged in terrorist activity, rather than on other law enforcement purposes. In addition, Secure Flight will only be applied to passengers on U.S. domestic flights. Passengers on international flights will continue to be prescreened using APIS (Advanced Passenger Information System data—information from the machine readable portion of an individual's passport) provided to U.S. Customs and Border Protection for this purpose. Passengers on international flights will not be subject to duplicative information provision requirements or overlapping screening procedures. TSA also anticipates that passenger information will be held for a relatively limited amount of time after completion of a passenger's itinerary. TSA's prescreening efforts will be as narrow as reasonable to accommodate privacy concerns, including access to redress mechanisms, but as robust as necessary to accomplish its security mission.

TSA believes that the Secure Flight program will represent a vast improvement in security by permitting TSA to identify individuals known or reasonably suspected to be engaged in terrorism or terrorism related activity. However, because Secure Flight may be rendered less effective if passenger-provided information is not accurate or correct, TSA does seek to identify the most appropriate means to identify when passenger information is incorrect or inaccurate. For this reason, TSA will use PNR information obtained for testing of the Secure Flight program to conduct a separate test of the use of commercial data to identify such inaccurate or incorrect passenger information. TSA recognizes that this may raise privacy and civil liberties concerns. TSA's testing of commercial data use will therefore involve the following:

(a) TSA will only test the use of commercial data

(b) TSA does not assume that the result of comparison of passenger information to commercial data is determinative of information accuracy or the intent of the person who provided the passenger information.

(c) Such testing of commercial data will be governed by stringent data security and privacy protections, including contractual prohibitions on commercial entities' maintenance or use of airline-provided PNR information for any purposes other than testing under TSA parameters; strict firewalls between the government and commercial data providers; real-time auditing procedures to determine when data within the Secure Flights system has been accessed and by whom; strict rules prohibiting the accessing or use of commercially held personal data by TSA;

(d) Assessment of test results prior to any operational use of commercial data in TSA programs and determination that its use is effective in identifying incorrect or inaccurate information does not result in disparate treatment of any class of individuals, and that data security protections and privacy protections are robust and effective.

TSA also recognizes that there is a privacy risk inherent in the design of any new system which could result from design mistakes. By testing the proposed Secure Flight program, TSA will have the opportunity to correct any privacy-related design mistakes before the program becomes fully operational, ensuring a better program. TSA is purposely testing the Secure Flight system, in fact, and will be carefully scrutinizing the performance of the system during the test phase—and conducting further analysis upon completion—to determine the effectiveness of Secure Flight both for passenger prescreening as well as for protecting the privacy of the data on which the program is based. By layering on top of the program design strict rules for oversight and training of personnel handling the data as well as strong system auditing to detect potential abuse and a carefully planned and executed redress process, TSA intends to make sure that privacy is an integral part of this overall effort. TSA's efforts will not only be thoroughly examined internally, including review by the TSA Privacy Officer, but also will be reviewed by the DHS Chief Privacy Officer before a final program is designed. In this process, TSA will carefully review constructive feedback it receives from the public on this important program.

Issued in Arlington, VA, on September 21, 2004.

Lisa S. Dean,

Privacy Officer.

[FR Doc. 04–21477 Filed 9–21–04; 12:58 pm]

BILLING CODE 4910–62–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Notice of Establishment

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of Establishment of Great Sand Dunes National Park.

SUMMARY: Pursuant to Public Law 106–530 (114 Stat. 2529, 16 U.S.C. 410hhh–2), the Great Sand Dunes National Park and Preserve Act of 2000, on September

13, 2004, I made the following determination establishing the Great Sand Dunes National Park in Saguache and Alamosa counties in southern Colorado:

Whereas, the Great Sand Dunes National Monument was established for ''the preservation of the great sand dunes'' on March 17, 1932;

Whereas, the great sand dunes ''an ancient landscape sculpted by the relentless forces of wind and water—offer breath-taking beauty, rare plant and animal life, and rich geological and cultural history;

Whereas, Congress, in the Great Sand Dunes National Park and Preserve Act, authored by Senator Wayne Allard, Senator Ben Nighthorse Campbell, and Representative Scott McInnis of Colorado, inspired by the people of the San Luis Valley, sought to provide long-term protection of the area and ensure opportunities for visitors to enjoy its splendor;

Whereas, Congress authorized the Secretary of the Interior to designate the existing national monument and additional lands as a national park once sufficient land with a sufficient diversity of resources was acquired;

Whereas, the National Park Service now has assumed management for 31,000 acres adjacent to the monument as provided by the Act;

Whereas, the Director of the National Park Service recommends that the Great Sand Dunes National Monument, together with additional lands, be designated a national park;

Therefore, having determined that the United States has acquired sufficient land having a sufficient diversity of resources to warrant designation of the land as a national park, by the authority vested in me under Section 4 of the Great Sand Dunes National Park and Preserve Act (114 Stat. 2529), and with the approval of President George W. Bush, I do hereby designate the existing Great Sand Dunes National Monument, together with additional lands cited in said Act, as the Great Sand Dunes National Park.

Pursuant to section 5(b) of Public Law 106–530 (16 U.S.C. 410hhh–3(b)), as soon as practicable, a map and legal description of the Great Sand Dunes National Park will be on file and available for public inspection at the address below.

DATES: This action is effective upon publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Steve Chaney, Superintendent, Great Sand Dunes National Park & Preserve, 11500 Hwy 150, Mosca, Colorado 81146–9798.

Dated: September 16, 2004.

Gale A. Norton,

Secretary of the Interior.

[FR Doc. 04–21473 Filed 9–23–04; 8:45 am]

BILLING CODE 4312–CL–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Draft Revised Recovery Plan for the Nēnē or Hawaiian Goose (*Branta sandvicensis*)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability for review and comment.

SUMMARY: The U.S. Fish and Wildlife Service (we) announces the availability of the Draft Revised Recovery Plan for the Nēnē or Hawaiian Goose (*Branta sandvicensis*) for public review and comment.

DATES: Comments on the draft revised recovery plan must be received on or before November 23, 2004.

ADDRESSES: Hard copies of the draft revised recovery plan will be available for inspection, by appointment, during normal business hours at the following location: U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3–122, Box 50088, Honolulu, Hawaii 96850 (telephone: 808–792–9400; facsimile: 808–792–9580). Requests for copies of the draft revised recovery plan and written comments and materials regarding this plan should be addressed to the Field Supervisor at the above Honolulu address. This plan is currently available on the World Wide Web at *http://endangered.fws.gov/recovery/index.html#plans*.

FOR FURTHER INFORMATION CONTACT: Dr. Ann Marshall, Fish and Wildlife Biologist, or Dr. Eric VanderWerf, Fish and Wildlife Biologist, at the above address and telephone number.

SUPPLEMENTARY INFORMATION:

Background

Recovery of endangered or threatened animals and plants is a primary goal of our endangered species program and the Endangered Species Act (Act) (16 U.S.C. 1531 *et seq.*). Recovery means improvement of the status of listed species to the point at which listing is no longer appropriate under the criteria set out in section 4(a)(1) of the Act. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for downlisting or delisting listed species, and estimate time and cost for implementing the measures needed for recovery.

The Act requires the development of a recovery plan for a listed species unless such a plan would not promote the conservation of the species. Section 4(f) of the Act requires that public notice and an opportunity for public review and comment be provided during recovery plan development. We will consider all information presented during the public comment period on each new or revised recovery plan. Substantive technical comments may result in changes to a recovery plan. Substantive comments regarding recovery plan implementation may not necessarily result in changes to a recovery plan, but will be forwarded to appropriate Federal or other entities so that they can take these comments into account during the course of implementing recovery actions. Individual responses to comments will not be provided.

The nēnē is endemic to the Hawaiian Islands and is listed as endangered by the Federal government and by the State of Hawaii. Currently, there are wild populations on the islands of Hawaii, Maui, and Kauai comprised of approximately 350, 250, and 620 individuals, respectively. In addition, 11 captive-bred nēnē were released on the island of Molokai in December 2001 and an additional 13 nēnē were released on Molokai in 2002 as part of a Safe Harbor Agreement.

Nēnē are currently found at elevations ranging from sea level to almost 2,500 meters (8,000 feet) in a variety of habitats including nonnative grasslands (such as golf courses, pastures, and rural areas); sparsely vegetated high elevation lava flows; cinder deserts; native alpine grasslands and shrublands; open native and non-native alpine shrubland-woodland community interfaces; mid-elevation native and non-native shrubland; and early successional cinderfall. This distribution has been determined largely by the locations of release sites of captive-bred nēnē. Limiting factors affecting nēnē recovery include predation by introduced mammals, insufficient nutritional resources for both breeding females and goslings, limited availability of suitable habitat, human-caused disturbance and mortality, behavioral problems associated with small populations sizes and captive-bred birds, genetic homogeneity and expression of deleterious recessive genes, and possibly avian disease.

Recovery objectives for the nēnē are to restore and maintain self-sustaining populations on the islands of Hawaii,