

considering the factors listed in the Denali Commission's definition of extraordinary circumstances, including, but not limited to, a reasonable likelihood of significant impacts on environmentally sensitive resources; threatening a violation of a Federal, Tribal, State, or local law or requirement imposed for the protection of the environment; or disproportionate and adverse effects on communities with environmental justice concerns. NBRC would analyze proposed actions for the extraordinary circumstances in the Denali Commission's NEPA implementing procedures and consistent with the CEQ NEPA regulations. 45 CFR 900.204(c). NBRC will then assess whether an extraordinary circumstance is present and if so, whether the CE may nonetheless be applied, consistent with 40 CFR 1501.4(b) or any successor regulation. If NBRC cannot apply a CE to a particular proposed action due to extraordinary circumstances, NBRC will prepare an EA or EIS, consistent with 40 CFR 1501.4(b)(2), or determine if the action is covered under an existing NEPA document. NBRC will document its consideration of extraordinary circumstances as part of the Memorandum for Record discussed in Part III above.

#### **IV. Consultation With the Denali Commission and Determination of Appropriateness**

NBRC worked with the Denali Commission to identify Denali

Commission CEs that could apply to NBRC proposed actions and began consultation in September 2023. During this consultation, the agencies discussed whether the categories of NBRC proposed actions would be appropriately covered by the Denali Commission CEs; each Agency's process for review of projects with respect to CEs; and the extraordinary circumstances that NBRC should consider before applying these CEs to NBRC's proposed actions. The consultation continued through early November 2023, and consisted of detailed email exchanges and virtual meetings with the Denali Commission's lead reviewer of NEPA-related items.

At the conclusion of that process, the agencies determined that NBRC's proposed use of the CEs as described in this notice would be appropriate because the categories of actions for which NBRC plans to use the CEs are covered by the Denali Commission CEs.

#### **V. Conclusion**

This notice documents adoption of the Denali Commission CEs listed above in accordance with 42 U.S.C. 4336c(3), and they are available for use by NBRC effective immediately.

**Jonathan O'Rourke,**  
*Senior Program Specialist.*

[FR Doc. 2024-10615 Filed 5-14-24; 8:45 am]

**BILLING CODE 6820-SZ-P**

## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

[Transmittal No. 22-23]

#### **Arms Sales Notification**

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:** Neil Hedlund at [neil.g.hedlund.civ@mail.mil](mailto:neil.g.hedlund.civ@mail.mil) or (703) 697-9214.

**SUPPLEMENTARY INFORMATION:** This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 22-23 with attached Policy Justification and Sensitivity of Technology.

Dated: May 9, 2024.

**Aaron T. Siegel,**

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



DEFENSE SECURITY COOPERATION AGENCY  
201 12<sup>TH</sup> STREET SOUTH, SUITE 101  
ARLINGTON, VA 22202-5408

April 19, 2022

The Honorable Nancy Pelosi  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-23, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$42 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

*James A. Hursch*  
James A. Hursch  
Director

Enclosures:

- 1. Transmittal
- 2. Policy Justification
- 3. Sensitivity of Technology

Transmittal No. 22-23

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

(i) *Prospective Purchaser:* Government of Australia

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	\$40 million
Other .....	\$ 2 million
<b>Total .....</b>	<b>\$42 million</b>

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*  
*Major Defense Equipment (MDE):*  
 One hundred six (106) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) (5) Terminals  
 Fifteen (15) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) (6) Terminals  
 Seven (7) Multifunctional Information Distribution System MIDS-Low Volume

Terminal (MIDS-LVT) (4) Block Upgrade Two (BU2) Retrofit Kits  
*Non-MDE:*  
 Also included are Low Volume Terminal (LVT) Cryptographic Modules (LCM).  
 (iv) *Military Department:* Navy (AT-P-LGM)  
 (v) *Prior Related Cases, if any:* AT-P-LFT  
 (vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None  
 (vii) *Sensitivity of Technology Contained in the Defense Article or*

*Defense Services Proposed to be Sold:*  
See Attached Annex

(viii) *Date Report Delivered to Congress:* April 19, 2022

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

#### POLICY JUSTIFICATION

##### *Australia—Defense Articles Related to Multifunctional Information Distribution System Joint Tactical Radio Systems*

The Government of Australia has requested to buy one hundred six (106) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) (5) terminals; fifteen (15) MIDS JTRS (6) terminals; and seven (7) Multifunctional Information Distribution System MIDS-Low Volume Terminal (MIDS-LVT) (4) Block Upgrade Two (BU2) retrofit kits. Also included are Low Volume Terminal (LVT) Cryptographic Modules (LCM). The estimated total value is \$42 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Australia's capability to interoperate with U.S. forces and exchange secure, jam-resistant tactical data via Link 16. Australia will use the enhanced capability as a deterrent to regional threats and strengthen its homeland defense. Australia will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractors will be Viasat, Carlsbad, CA; and Data Link Solutions, Cedar Rapids, IA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale may require U.S. Government and contractor personnel to visit Australia on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews.

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

Transmittal No. 22–23

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

Annex

Item No. vii

#### (vii) *Sensitivity of Technology:*

1. The AN/USQ–140 Multifunctional Information Distribution System-Low Volume Terminal (MIDS-LVT) is a secure, jam-resistant communication and positioning system that employs a defined waveform in the 960–1215 megahertz (MHz) Ultra High Frequency (UHF) range for packet message communication and 16 Kilobit digital voice and packet message communication. MIDS provides interoperability with NATO and coalition users, significantly increasing force command and control (C2) effectiveness. The Tactical Digital Information Link-J (TADIL-J) series message standard is employed by the system as defined in NATO Standardization Agreement (STANAG) 5516 and U.S. Military Standard (MIL-STD) 6016. The embedded hardware features provide communications security. The AN/USQ–190 Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) builds on MIDS-LVT's capabilities with the addition of Concurrent Multi-Netting (CMN) and Concurrent Contention Receive (CCR) functions. CMN and CCR dramatically expand the number of platforms and network-enabled systems that can be reliably included in a Link 16 network. These enhancements allow a single MIDS JTRS terminal to simultaneously receive messages on up to four nets, compared with on a single net in terminals without CMN and CCR, within a single Link 16 time slot, allowing a user to "hear" messages from up to three additional sources at once. Tactical Targeting Network Technology (TTNT) is built into some MIDS JTRS terminals that adds an additional advanced capability waveform.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

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 that 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.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Australia.

[FR Doc. 2024–10603 Filed 5–14–24; 8:45 am]

BILLING CODE 6001–FR–P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD–2024–OS–0050]

### Privacy Act of 1974; System of Records

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice of a new system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, the DoD is establishing a new system of records covering all DoD components titled, "Military Human Resource Records," DoD–0020. This system of records describes DoD's collection, use, and maintenance of records about members of the armed services, including active duty, reserve, and guard personnel. Records support Department requirements and individual Service members' careers, through the collection and management of personnel and employment data. This information includes individual's pay and compensation, education, assignment history, grade/rank and promotion determinations, separation and retirement actions, performance information, awards, and career milestones. Additionally, DoD is issuing a Notice of Proposed Rulemaking, which proposes to exempt this system of records from certain provisions of the Privacy Act, elsewhere in today's issue of the **Federal Register**.

**DATES:** This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before June 14, 2024. The Routine Uses are effective at the close of the comment period.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

\* *Federal Rulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

\* *Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and