

6. Whether this project duplicates other projects funded by DoC or other Federal agencies.

7. Degree to which the applicant is proposing cost share. (A minimum of 25% would be viewed favorably; 50% even more favorably.)

8. Adequacy of information needed to assess compliance with and to make a determination under the National Environmental Policy Act of 1969, as amended.

9. Applicant's prior Federal award performance.

*Program Priorities:* All applicable fields of science that relate directly to the programs of DoC's three science organizations: NIST, the National Oceanic and Atmospheric Administration (NOAA), and the National Telecommunications and Information Administration (NTIA). Specifically, these include science related to measurements, oceans or atmosphere, or telecommunications. More information about those programs can be found on the agencies' Web sites (<http://www.nist.gov>, <http://www.noaa.gov>, and <http://www.ntia.doc.gov>).

*Selection Process.* An initial administrative review will be conducted to determine compliance with requirements and completeness of the proposal. Responsive and complete proposals will be considered further. Proposals that are nonresponsive and/or incomplete will be eliminated. Each of the remaining proposals will receive three independent reviews, which will include three written evaluations and scores, based on the evaluation criteria. No consensus advice will be given. The individual proposal evaluations and scores will be considered by an Evaluation Board (a committee made up of four Federal employees), and this Board will present ranking and funding recommendations based on the evaluation criteria to a Selecting Official for further consideration. In making final selections, the Selecting Official (Chief Facilities Management Officer, NIST) will select funding recipients based upon the Evaluation Board's rank order of the proposals and the selection factors. The selection of proposals by the Selecting Official is final. NIST reserves the right to negotiate the cost and scope of the proposed work with the applicants that have been selected to receive awards. This may include requesting that the applicant delete from the scope of work a particular task that is deemed by NIST to be inappropriate for support against the evaluation criteria or selection factors. NIST also reserves the right to reject a proposal where information is uncovered that

raises a reasonable doubt as to the responsibility of the applicant. The final approval of selected proposals and award of grants will be made by the NIST Grants Officer. The award decision of the NIST Grants Officer is final.

*Executive Order 12372 (Intergovernmental Review of Federal Programs).* Proposals under this program are not subject to Executive Order 12372.

*Administrative Procedure Act and Regulatory Flexibility Act.* Prior notice and comment are not required under 5 U.S.C. 553, or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)). Because prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

*E.O. 13132 (Federalism).* This notice does not contain policies with Federalism implications as defined in Executive Order 13132.

*E.O. 12866 (Regulatory Planning and Review).* This notice is not a significant regulatory action under Sections 3(f)(3) and 3(f)(4) of Executive Order 12866, as it does not materially alter the budgetary impact of a grant program and does not raise novel policy issues. This notice is not an "economically significant" regulatory action under Section 3(f)(1) of the Executive Order, as it does not have an effect on the economy of \$100 million or more in any one year, and it does not have a material adverse effect on the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

*Paperwork Reduction Act.* Notwithstanding any other provision of the law, no person is required to, nor shall any person be subject to penalty for failure to, comply with a collection of information, subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This document contains collection-of-information requirements subject to the PRA. The use of Standard Forms 424, 424C, 424D, and LLL; and CD-346 have been approved by OMB under the respective control numbers 4040-0004, 4040-0008, 4040-0009, 0348-0046, and 0605-0001.

*Administrative and National Policy Requirements.* Department of Commerce

Pre-Award Notification Requirements for Grants and Cooperative Agreements, which are contained in the **Federal Register** Notice of February 11, 2008 (73 FR 7696-01), are applicable to this solicitation.

Dated: May 20, 2008.

**Richard F. Kayser,**  
Chief Scientist.

[FR Doc. E8-11719 Filed 5-23-08; 8:45 am]

BILLING CODE 3510-13-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-AW83

#### Atlantic Highly Migratory Species; Environmental Impact Statement for Amendment 4 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan

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

**ACTION:** Notice of intent; request for comments.

**SUMMARY:** NMFS announces its intent to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) to assess the potential effects on the human environment of proposed alternatives and actions under Amendment 4 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (Consolidated HMS FMP). The EIS is intended to address issues regarding authorized fishing gear and fishing vessel and dealer permitting in Puerto Rico and the U.S. Virgin Islands (USVI), as well as examine management alternatives to improve vessel and dealer reporting and data collection in Puerto Rico and the USVI consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Atlantic Tunas Convention Act (ATCA), and other relevant Federal laws. NMFS is requesting comments on the above measures including, but not limited to, permitting, revisions to the limited access permit (LAP) program, and reporting.

**DATES:** Comments on this action must be received by October 31, 2008.

**ADDRESSES:** Comments can be submitted to Russell Dunn, HMS Management Division, National Marine Fisheries Service, 263 13<sup>th</sup> Avenue South, Saint Petersburg, FL 33701. Please mark the outside of the envelope "Scoping

Comments on Amendment 4 to the Consolidated HMS FMP." Comments can also be submitted via email at [noi.hms.caribbean@noaa.gov](mailto:noi.hms.caribbean@noaa.gov), or via fax at (727) 824-5398. Include in the subject line of the email or fax comment the following document identifier: NOI HMS Caribbean.

**FOR FURTHER INFORMATION CONTACT:** Russell Dunn or Greg Fairclough by phone:(727) 824-5399, or by fax: (727) 824-5398.

**SUPPLEMENTARY INFORMATION:** The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Act, and the Atlantic tuna, swordfish, and billfish fisheries are managed under the Magnuson-Stevens Act and ATCA. The Consolidated HMS FMP is implemented by regulations at 50 CFR part 635. Copies of the Consolidated HMS FMP are available from NMFS on request.

### Background

The 1999 Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (1999 FMP) established a LAP program for the commercial Atlantic swordfish and shark fisheries to begin to rationalize harvesting capacity with the available quota and reduce latent effort while preventing further overcapitalization. To assist with enforcement and management of the program, permit restrictions were also placed on vessels fishing for bigeye, albacore, yellowfin, and skipjack (BAYS) tunas. Implementation of the HMS LAP program has been ongoing since the implementation of the 1999 FMP and is executed via issuance of permits to eligible recipients in the commercial shark, swordfish, and BAYS fisheries. Currently many eligible vessels may be required to obtain up to three separate LAPs to fish for, or retain, HMS. Since implementation, HMS LAPs have continued to increase in value. Limited availability and high LAP costs may present a significant barrier to entry into some segments of the HMS fisheries.

There are substantial differences between some segments of the U.S. Caribbean HMS fisheries and the HMS fisheries that occur off of the mainland United States including, but not limited to: limited fishing and dealer permit possession; smaller vessels; shorter trips; limited profit margins; and high local consumption of catches. These differences can create an awkward fit between the current regulations and the operational realities of Caribbean fisheries. NMFS has benefitted from receiving various recommendations to improve management of the HMS

permitting program and U.S. Caribbean HMS fisheries from the Caribbean Fishery Management Council, territorial governments, and local fishermen. Some suggestions on U.S. Caribbean HMS fisheries received to date include, but are not limited to: creating a commercial Caribbean HMS permit (valid for sharks, tunas, and swordfish); combining Caribbean vessel and dealer permits (allowing vessels to sell catch); and modifying authorized gears (authorizing buoy gear in the Caribbean BAYS tuna fishery and allowing the possession of reef fish traps).

Based on discussions with the Caribbean Fishery Management Council and the territorial governments, NMFS believes that the depletion of continental shelf fishery resources may be increasing local interest in HMS resources. As local fishermen become more dependent on offshore fishery resources and increase fishing effort on HMS, there is an increased need for NMFS to modify the current HMS permitting and reporting regime to include small commercial Caribbean vessels and better collect catch and effort data.

### Management Options

NMFS requests comments on management options for this action. Specifically, NMFS requests comments on the following issues and possible options: creating a small commercial vessel Caribbean HMS permit (valid for sharks, tunas, and swordfish); combining commercial Caribbean vessel and dealer permits (allowing vessels to sell/retail catch); modifying authorized gears (authorizing buoy gear in the Caribbean BAYS tuna fishery and allowing the possession of reef fish traps); and developing methods to improve reporting and data collection. NMFS also requests comment on any other fishery management issue pertaining to Caribbean HMS fisheries which the public believes should be further examined by NMFS.

NMFS intends to publish an issues and options document summarizing the different options under consideration and will announce the availability of this document at a later date. NMFS will hold at least one scoping meeting to gather public comment on the issues and options described here and in the forthcoming issues and options document (time and location details of which will be announced in a subsequent **Federal Register** notification).

After scoping has been completed and public comment gathered and analyzed, NMFS will proceed with preparation of a draft EIS and proposed rule, which

will include additional opportunities for public comment. Until the EIS and associated documents are finalized or until other regulations are put into place, the current regulations remain in effect.

Dated: May 19, 2008.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E8-11779 Filed 5-23-08; 8:45 am]

**BILLING CODE 3510-22-S**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**AGENCY HOLDING THE MEETING:** Commodity Futures Trading Commission.

**TIME AND DATE:** 1 p.m., Thursday, June 5, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Enforcement Matters.

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. 08-1289 Filed 5-22-08; 11:35 am]

**BILLING CODE 6351-01-P**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Wednesday, June 11, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Risk Surveillance.

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. 08-1291 Filed 5-22-08; 11:35 am]

**BILLING CODE 6351-01-P**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday, June 27, 2008.