

Subpart C—Director, Secretary of the Navy Council of Review Boards and President Naval Discharge Review Board; Responsibilities in Support of the Naval Discharge Review Board

8. The Subpart C heading is revised to read as set forth above.

9. Section 724.302 is amended as follows:

a. The section heading is revised to read as set forth below; and

b. Paragraph (h) is amended by removing “Naval Council of Personnel Boards” and adding “Secretary of the Navy Council of Review Boards” in its place.

§ 724.302 Functions: Director, Secretary of the Navy Council of Review Boards.

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§ 724.303 [Amended]

10. Section 724.303 is amended in paragraph (e) by removing “5211.5C” and adding “5211.5 series” in its place.

§ 724.501 [Amended]

11. Section 724.501 is amended as follows:

a. Removing paragraph (b), and redesignating paragraphs (c) through (p) as paragraphs (b) through (o) respectively; and

b. Newly redesignated paragraph (e) is amended by removing “withdrawn” and adding “withdraw” in its place.

§ 724.502 [Amended]

12. Section 724.502 is amended as follows:

a. Paragraph (c) is amended by removing “Suite 905, 801 North Randolph Street, Arlington, VA 22203” and adding “720 Kennon Ave SE, Suite 309, Washington, DC 20374–5023” in its place; and

b. Paragraph (d) is amended by removing “696–4881” and adding “685–6600” in its place.

§ 724.504 [Amended]

13. Section 724.504 is amended in paragraph (a) by adding “if required” after “health record.”

14. Section 724.601 is revised to read as follows:

§ 724.601 General.

The NDRB is a component of the Secretary of the Navy Council of Review Boards and has its offices located in the NCR. The NDRB conducts documentary reviews and personal appearance reviews in the NCR. Hearings may be conducted outside the NCR at the NDRB’s discretion contingent upon availability of resources and manpower.

15. Section 724.701 is amended as follows:

a. The introductory text is amended by removing “Naval Council of Personnel Boards” and adding “Secretary of the Navy Council of Review Boards” in its place; and

b. Paragraph (c) is revised to read as follows:

§ 724.701 Composition.

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(c) Normally, at least three of the five members of the NDRB shall belong to the service from which the applicant whose case is under review was discharged.

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16. Section 724.703 is revised to read as follows:

§ 724.703 Legal counsel.

Normally, the NDRB shall function without the immediate attendance of legal counsel. In the event that a legal advisory opinion is deemed appropriate by the NDRB, such opinion shall be obtained routinely by reference to the Counsel assigned to the Office of the Director, Secretary of the Navy Council of Review Boards. In addition, the NDRB may request advisory opinions from staff offices of the Department of the Navy, including, but not limited to the General Counsel and the Judge Advocate General.

Dated: June 23, 2009.

T.M. Cruz,

Lieutenant Commander, Judge Advocate General’s Corps, U.S. Navy, Alternate Federal Register Liaison Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[Docket No. 080102007–81097–01]

RIN 0648–AW18

Magnuson-Stevens Fishery Conservation and Management Act; Regional Fishery Management Councils; Operations

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

ACTION: Proposed rule, extension of comment period.

SUMMARY: NMFS extends the comment period for proposed regulations that address the operations and

administration of regional fishery management councils (Councils).

DATES: Comments must be received by November 2, 2009.

ADDRESSES: You may submit comments, identified by “RIN 0648–AW18,” by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>.

- Fax: 301–713–1175.

- Mail: Alan Risenhoover, Director, Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East-West Highway, SSMC3, Silver Spring, MD 20910. Please mark the outside of the envelope “Council Operations.”

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter n/a in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe pdf file formats only.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted to the Office of Sustainable Fisheries at the mailing address or fax number specified above and by e-mail to David_Rostker@omb.eop.gov, or fax to (202) 395–7285.

FOR FURTHER INFORMATION CONTACT: William D. Chappell, 301–713–2337.

SUPPLEMENTARY INFORMATION: Section 302 of the Magnuson-Stevens Act includes provisions for the establishment and administration of the Councils. The Magnuson-Stevens Act was reauthorized on January 12, 2007, with amendments throughout, and this proposed rule would implement some of the changes that were made to Section 302. Additionally, several issues regarding Council operations and membership have prompted proposed changes to the regulations. Key aspects of this proposed rule are: requirements relative to the Council Coordinating Committee; requirements for Scientific and Statistical Committees (SSCs) and financial interest reporting for SSC members; an update of Council and committee meeting announcement

requirements; a requirement for Councils to have procedures for proposed regulations; designation of an alternate for the Indian tribal representative of the Pacific Fishery Management Council; requirements for nominating individuals to the Gulf of Mexico Fishery Management Council; revisions to the process and deadline for governors to submit Council member nominations to the Secretary; restrictions on direct or indirect lobbying by Council members, Council staff, and contractors; addition of lobbying and advocacy as types of financial interest activities that must be reported by affected individuals; and the requirement for new Council members to attend a training course. Additionally, this proposed rule would implement several minor changes in Magnuson-Stevens Act section 302, as well as a number of technical changes and minor corrections, unrelated to the reauthorization of the Act. Many of the key aspects of this proposed rule reiterate statutory requirements of the Magnuson-Stevens Act. NMFS is including this statutory text in regulations so that relevant Council process provisions both statutory and regulatory are presented together for ease of reference.

On March 27, 2009 (74 FR 13386), NMFS published this proposed rule with a comment period ending July 6, 2009. Because this proposed rule primarily affects the Councils, their input is critical in ensuring that questions regarding the requirements of this proposed rule are raised and responded to prior to a final rule being published. The original comment period allowed enough time for almost all Councils to have a meeting and discuss this proposed rule during the comment period. The Councils have now requested that the comment period be extended to allow all Councils to have two meetings during the comment period. NMFS agrees with this request and extends the comment period until November 2, 2009 to allow the Councils and the public adequate time to understand this proposed rule, discuss its effects on their circumstances, and provide their comments.

Dated: June 24, 2009.

John Oliver,

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 080226312-9085-01]

RIN 0648-AW12

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 15B; Reef Fish Fishery of the Gulf of Mexico

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to implement Amendment 15B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP), as prepared and submitted by the South Atlantic Fishery Management Council (Council). This proposed rule would, for South Atlantic snapper-grouper, require a private recreational vessel that fishes in the exclusive economic zone (EEZ), if selected by NMFS, to maintain and submit fishing records; require a vessel that fishes in the EEZ, if selected by NMFS, to carry an observer and install an electronic logbook (ELB) and/or video monitor provided by NMFS; prohibit the sale of snapper-grouper harvested or possessed in the EEZ under the bag limits and prohibit the sale of snapper-grouper harvested or possessed under the bag limits by vessels with a Federal charter vessel/headboat permit for South Atlantic snapper-grouper regardless of where the snapper-grouper were harvested; require an owner and operator of a vessel for which a commercial or charter vessel/headboat permit has been issued and that has on board any hook-and-line gear to comply with sea turtle and smalltooth sawfish release protocols, possess on board specific gear to ensure proper release of such species, and comply with guidelines for proper care and release of such species that are incidentally caught; and expand the allowable transfer of a commercial vessel permit under the limited access program and extend the allowable period for renewal of such a permit. Amendment 15B also proposes to revise the stock status determination criteria for golden tilefish and specify commercial/recreational allocations for snowy grouper and red porgy. In addition, NMFS proposes to

remove language specifying commercial quotas for snowy grouper that are no longer in effect and proposes to revise sea turtle bycatch mitigation requirements applicable to the Gulf reef fish fishery to add two devices that were inadvertently omitted from a prior rule. The intended effects of this rule are to provide additional information for, and otherwise improve the effective management of, the South Atlantic snapper-grouper fishery; minimize the impacts on incidentally caught threatened and endangered sea turtles and smalltooth sawfish; and remove outdated language.

DATES: Written comments on this proposed rule must be received no later than 5:00 p.m., eastern time, on August 4, 2009.

ADDRESSES: You may submit comments, identified by RIN 0648-AW12, by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>
- Fax: 727-824-5308, Attn: Kate Michie
- Mail: Kate Michie, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Copies of Amendment 15B may be obtained from the South Atlantic Fishery Management Council, 4055 Faber Place, Suite 201, North Charleston, SC 29405; phone: 843-571-4366 or 866-SAFMC-10 (toll free); fax: 843-769-4520; e-mail: safmc@safmc.net. Amendment 15B includes a Final Environmental Impact Statement (FEIS), an Initial Regulatory Flexibility Analysis (IRFA), a Regulatory Impact Review, and a Social Impact Assessment/Fishery Impact Statement.

Comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted in writing to Jason Rueter,