

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

Dated: June 5, 2012.

Brian Grosner,
General Manager.

[FR Doc. 2012-13978 Filed 6-7-12; 8:45 am]

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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

10 CFR Part 1703

Proposed FOIA Fee Schedule Update

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This document corrects the **SUPPLEMENTARY INFORMATION** to the Board's proposed FOIA Fee Schedule Update published in the **Federal Register** of June 1, 2012. The document contained incorrect dates and references.

FOR FURTHER INFORMATION CONTACT: Brian Grosner, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004-2901, (202) 694-7060.

Correction

In proposed rule FR Doc. 2012-13295, dated June 1, 2012 on page 32433 in the third column, the **SUPPLEMENTARY INFORMATION** section should read:

SUPPLEMENTARY INFORMATION: The FOIA requires each Federal agency covered by the Act to specify a schedule of fees applicable to processing of requests for agency records. 5 U.S.C. 552(a)(4)(A)(i). Pursuant to 10 CFR 1703.107(b)(6) of the Board's regulations, the Board's General Manager will update the FOIA Fee Schedule once every 12 months. Previous Fee Schedule Updates were published in the **Federal Register** and went into effect, most recently, on July 22, 2011, 76 FR 43819. The Board's proposed fee schedule is consistent with the guidance. The components of the proposed fees (hourly charges for search and review and charges for copies of requested documents) are based upon the Board's specific cost.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 906

[Docket. No 101019524-2112-01]

RIN 0648-BA36

National Appeals Office Rules of Procedure

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

ACTION: Proposed rule; request for comments.

SUMMARY: This proposed rule would establish procedures governing the National Appeals Office (NAO), a division of NMFS' Office of Management and Budget within NOAA. NAO's central mission is to provide an efficient means of adjudicating appeals by providing due process and consistency to NMFS' administrative decisions. This proposed rule would establish a process by which NMFS could review, and if necessary correct, decisions about certain limited access privilege programs under Section 303A of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed procedures could also be used to adjudicate appeals from other offices that incorporate these rules into their regulations or otherwise notify potential appellants of the procedures' applicability to their proceedings.

DATES: NMFS invites interested persons to submit comments on this proposed rule. To ensure consideration, comments must be in writing and must be received by July 9, 2012.

ADDRESSES: You may submit comments, identified by NOAA-NMFS-2011-0266, by one of the following methods:

- *Electronic Submission:* Submit all electronic public comments via Federal e-Rulemaking Portal at www.regulations.gov. To submit comments via the e-Rulemaking Portal,

first click the "submit a comment" icon, then enter NOAA-NMFS-2011-0266 in the keyword search. Locate the document you wish to comment on from the resulting list and click on the "Submit a Comment" icon on the right of that line.

- *Mail:* Submit written comments to Steven Goodman, National Appeals Office, Office of Management and Budget, NMFS, 1315 East West Hwy., Room 9553, Silver Spring, MD 20910.

- *Fax:* 301-713-2384; Attn: Steven Goodman.

Instructions: Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will 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 or Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Steven Goodman, National Appeals Office, Office of Management & Budget, NMFS, 1315 East West Hwy., Room 9553, Silver Spring, MD 20910; nmfs.nao.contact@noaa.gov; (301) 427-8774. (This is not a toll-free number.) Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the Federal Information Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION:

Background

In 2007, Congress added section 303A to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Section 303A authorizes limited access privilege programs (LAPP) and requires NMFS to "include an appeals process for administrative review of the Secretary's decisions regarding initial