

Mexico, or Coastal Migratory Pelagics Fisheries of the South Atlantic Region and the Gulf of Mexico Region.

The applicant requires authorization to harvest and possess the following numbers of fishes during each 12-month period from July 15, 2006, to July 14, 2008: 50 almaco jack, 100 Atlantic spadefish, 10 bank sea bass, 10 black grouper, 20 black margate, 50 black sea bass, 50 black snapper, 100 bluestriped grunt, 10 cero, 20 cobia, 10 coney, 30 cubera snapper, 20 dog snapper, 20 dolphin fish, 100 French grunt, 10 gag, 5 golden tilefish, 1 goliath grouper, 20 gray snapper, 5 gray triggerfish, 10 graysby, 20 greater amberjack, 5 hogfish, 20 jolthead porgy, 20 knobbed porgy, 20 lane snapper, 10 lesser amberjack, 10 little tunny, 10 mahogany snapper, 10 marge, 20 mutton snapper, 1 Nassau grouper, 3 ocean triggerfish, 3 queen triggerfish, 10 red grouper, 10 red hind, 10 red porgy, 50 red snapper, 10 rock hind, 20 rock sea bass, 10 saucereye porgy, 10 scamp, 50 schoolmaster, 5 sheepshead, 1 snowy grouper, 10 Spanish mackerel, 5 speckled hind, 10 spiny lobster, 50 tomate, 50 vermilion snapper, 2 wahoo, 1 warsaw grouper, 5 wreckfish, 1 yellowfin grouper, 1 yellowmouth grouper, and 30 yellowtail snapper. Specimens would be collected primarily from Federal waters off the coast of Georgia but may also be collected from Federal waters off the coasts of South Carolina, Florida, Alabama, Louisiana, Mississippi, and Texas during 2006, 2007, and 2008.

Fishes would be captured in some areas using barrier and hand nets in conjunction with SCUBA, hook and line, and traps. The barrier net would be set up underwater to provide a barrier to a school of fish. The fish would be herded into the barrier net and then hand netted. The net would be set for approximately 1 hour at a time and monitored by divers using SCUBA at all times. The net is 50 ft (15.2 m) long and 5 ft (1.5 m) deep with 1-inch (2.5-cm) monofilament mesh. Hook and line would be employed at depths less than 100 ft (30.4 m) to capture bottom-dwelling fish, and in the water column for other species. Methods would be identical to that used by charter fishing boats. Fish traps will be used in some areas and are constructed from 1.5-inch (3.8-cm) wire mesh and are approximately 3 ft (1 m) long, 3 ft (1 m) wide and 4 ft (1.2 m) high. The entrance to the traps is a vertical slit 2 inches (5 cm) wide and 12 inches (0.30 m) long. Ten traps would be deployed for up to 10 fishing periods of 12 hours each.

NMFS finds this application warrants further consideration. Based on a preliminary review, NMFS intends to

issue an EFP. Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not limited to: Reduction in the number or species of fish to be collected; restrictions on the placement of traps; restrictions on the size of fish to be collected; prohibition of the harvest of any fish with visible external tags; and specification of locations, dates, and/or seasons allowed for collection of particular fish species. A final decision on issuance of the EFP will depend on a NMFS review of public comments received on the application, consultations with the affected states, the Gulf of Mexico Fishery Management Council, the South Atlantic Fishery Management Council, and the U.S. Coast Guard, and a determination that it is consistent with all applicable laws. The applicant requests a 24-month effective period for the EFP.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: June 30, 2006.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Inland Waterways Users Board; Request for Nominations

**AGENCY:** Department of the Army, DOD.

**ACTION:** Notice.

**SUMMARY:** Section 302 of Public Law 99-662 established the Inland Waterways Users Board. The Board is an independent Federal advisory committee. The Secretary of the Army appoints its 11 members. This notice is to solicit nominations for five (5) appointments or reappointments to two-year terms that will begin after November 1, 2006.

**ADDRESSES:** Office of the Assistant Secretary of the Army (Civil Works), Attn: Inland Waterways Users Board Nominations Committee, 108 Army Pentagon, Washington, DC 20310-0108.

**FOR FURTHER INFORMATION CONTACT:** Office of the Assistant Secretary of the Army (Civil Works), (703) 697-8986.

**SUPPLEMENTARY INFORMATION:** The selection, service, and appointment of Board members are covered by provisions of Section 302 of Public Law 99-662. The substance of those provisions is as follows:

a. *Selection.* Members are to be selected from the spectrum of

commercial carriers and shippers using the inland and intracoastal waterways, to represent geographical regions, and to be representative of waterborne commerce as determined by commodity ton-miles statistics.

b. *Service.* The Board is required to meet at least semi-annually to develop and make recommendations to the Secretary of the Army on waterways construction and rehabilitation priorities and spending levels for commercial navigation improvements, and report its recommendations annually to the Secretary and Congress.

c. *Appointment.* The operation of the Board and appointment of its members are subject to the Federal Advisory Committee Act (Pub. L. 92-463, as amended) and departmental implementing regulations. Members serve without compensation but their expenses due to Board activities are reimbursable. The considerations specified in Section 302 for the selection of the Board members, and certain terms used therein, have been interpreted, supplemented, or otherwise clarified as follows:

(1) *Carriers and Shippers.* The law uses the terms "primary users and shipper." Primary users have been interpreted to mean the providers of transportation services on inland waterways such as barge or towboat operators. Shippers have been interpreted to mean the purchasers of such services for the movement of commodities they own or control. Individuals are appointed to the Board, but they must be either a carrier or shipper, or represent a firm that is a carrier or shipper. For that purpose a trade or regional association is neither a shipper or primary user.

(2) *Geographical Representation.* The law specifies "various" regions. For the purpose of selecting Board members, the waterways subjected to fuel taxes and described in Public Law 95-502, as amended, have been aggregated into six regions. They are (1) the Upper Mississippi River and its tributaries above the mouth of the Ohio; (2) the Lower Mississippi River and its tributaries below the mouth of the Ohio and above Baton Rouge; (3) the Ohio River and its tributaries; (4) the Gulf Intracoastal Waterway in Louisiana and Texas; (5) the Gulf Intracoastal Waterway east of New Orleans and associated fuel-taxed waterways including the Tennessee-Tombigbee, plus the Atlantic Intracoastal Waterway below Norfolk; and (6) the Columbia-Snake Rivers System and Upper Willamette. The intent is that each region shall be represented by at least one Board member, with that

representation determined by the regional concentration of the individual's traffic on the waterways.

(3) *Commodity Representation.* Waterway commerce has been aggregated into six commodity categories based on "inland" ton-miles shown in Waterborne Commerce of the United States. These categories are (1) Farm and Food Products; (2) Coal and Coke; (3) Petroleum, Crude and Products; (4) Minerals, Ores, and Primary Metals and Mineral Products; (5) Chemical and Allied Products; and (6) All other. A consideration in the selection of Board members will be that the commodities carried or shipped by those individuals or their firms will be reasonably representative of the above commodity categories.

d. *Nomination.* Reflecting preceding selection criteria, the current representation by the five (5) Board members whose terms will expire is one member each representing regions 2, 3 and 6, and two members representing region 1. Also, one of these Board members represents a shipper, two represent carriers and two represent a carrier/shipper.

Two of the five members whose terms will expire are eligible for reappointment. Nominations to replace Board members whose terms expire may be made by individuals, firms or associations. Nominations will:

- (1) State the region to be represented.
- (2) State whether the nominee is representing carriers, shippers or both.
- (3) Provide information on the nominee's personal qualifications.

(4) Include the commercial operations of the carrier and/or shipper with whom the nominee is affiliated. This commercial operations information will show the actual or estimated ton-miles of each commodity carried or shipped on the inland waterways system in a recent year (or years) using the waterway regions and commodity categories previously listed.

Nominations received in response to **Federal Register** notices published on March 17, 2005 (70 FR 13016) and February 17, 2006 (71 FR 8568) have been retained for consideration. Renomination is not required but may be desirable.

e. *Deadline for Nominations.* All nominations must be received at the address shown above no later than August 11, 2006.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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## DEPARTMENT OF EDUCATION

### National Assessment Governing Board; Meeting

**AGENCY:** National Assessment Governing Board, Education.

**ACTION:** Notice of open meeting and partially closed meetings.

**SUMMARY:** The notice sets forth the schedule and proposed agenda of a forthcoming meeting of the National Assessment Governing Board. This notice also describes the functions of the Board. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify members of the general public of their opportunity to attend. Individuals who will need special accommodations in order to attend the meeting (*i.e.*, interpreting services, assistive living devices, materials in alternative format) should notify Munira Mwalimu at 202-357-6938 or at *Munira.Mwalimu@ed.gov* no later than July 24, 2006. We will attempt to meet requests after this date, but cannot guarantee availability of the requested accommodation. The meeting site is accessible to individuals with disabilities.

**DATES:** August 3–5, 2006.

#### Times

*August 3*

Committee Meetings

*Assessment Development Committee:* Closed Session—9 p.m. to 1 p.m.

*Ad Hoc Committee on Planning for NAEP 12th Grade Assessments in 2009:* Open Session—1 p.m. to 3 p.m.

*Reporting and Dissemination Committee:* Open Session—3 p.m. to 4:30 p.m.

*Executive Committee:* Open Session—4:45 p.m. to 5:15 p.m.; Closed Session 5:15 p.m. to 6:15 p.m.

*August 4*

*Full Board:* Open Session—8:30 a.m. to 12:15 p.m.; Closed Session—12:15 p.m. to 1:30 p.m.; Open Session—1:30 p.m.—4:15 p.m.

Committee Meetings

*Assessment Development Committee:* Open Session—9:45 a.m. to 12:15 p.m.

*Committee on Standards, Design and Methodology:* Open Session—9:45 a.m. to 12:15 p.m.

*Reporting and Dissemination Committee:* Open Session—9:45 a.m. to 12:15 p.m.

*August 5*

*Nominations Committee:* Open Session—8:15 a.m. to 8:45 a.m.

*Full Board:* Open Session—9 a.m. to 12 p.m.

*Location:* The Ritz-Carlton Tysons Corner, 1700 Tysons Boulevard, McLean, VA 22102.

#### FOR FURTHER INFORMATION CONTACT:

Munira Mwalimu, Operations Officer, National Assessment Governing Board, 800 North Capitol Street, NW., Suite 825, Washington, DC 20002-4233, Telephone: (202) 357-6938.

**SUPPLEMENTARY INFORMATION:** The National Assessment Governing Board is established under section 412 of the National Education Statistics Act of 1994, as amended.

The Board is established to formulate policy guidelines for the National Assessment of Educational Progress (NAEP). The Board's responsibilities include selecting subject areas to be assessed, developing assessment objectives, developing appropriate student achievement levels for each grade and subject tested, developing guidelines for reporting and disseminating results, and developing standards and procedures for interstate and national comparisons.

The Assessment Development Committee will meet in closed session on August 3 from 9 a.m. to 1 p.m. (four hours) to review secure reading passages and items for grade 8 (approximately 200 reading items) for the 2007 National Assessment of Education Progress (NAEP) Reading pilot test. The meeting must be conducted in closed session as disclosure of proposed test items for the Reading pilot test would significantly impede implementation of the NAEP program, and is therefore protected by exemption 9(B) of section 552b(c) of Title 5 U.S.C.

The Ad Hoc Committee on Planning for NAEP 12th Grade Assessments in 2009 will meet in open session on August 3 from 1 p.m. to 3 p.m. and Reporting and Dissemination Committee will meet in open session on August 3 p.m. to 4:30 p.m. Thereafter, the Executive Committee will meet in open session from 4:45 p.m. to 5:15 p.m.

The Executive Committee will meet in closed session on August 3, 2006 from 5:15 p.m. to 6:15 p.m. For the first agenda item during this closed session, the Executive Committee will receive independent government cost estimates from the Associate Commissioner, National Center for Education Statistics (NCES) for proposed contracts for item development, data collection, scoring and analysis, and reporting of National Assessment of Educational Progress