

to use thawed, blue-dyed bait, to start and complete the setting process during the night (specifically to begin deployment of the gear no earlier than one hour after local sunset and to finish deployment no later than local sunrise), and to strategically discard fish offal (i.e., on the opposite side from where the longline is being set). Under the proposed rule, they would also be required to employ a bird scaring device, or tori line, in addition to the above measures.

Public comments received on the proposed rule questioned the need to deploy tori lines on shallow-setting vessels. Also, recent analyses of information collected by Federal observers (required on all Hawaii-based shallow-setting longline vessels) in the first half of 2005 found that seabird interaction rates during this time period were less than 10% of the historical average. This appears to result from the night-setting requirement established in 2004, and is consistent with earlier research results. The Council will, therefore, consider action to modify the proposed rule to remove the tori line requirement for these vessels.

Under the proposed rule, 60 g (2.1 oz) weights would be required within one meter of each hook when side-setting. Public comments received during the development of the amendment and on the proposed rule indicated that there were serious safety concerns about the required use of these relatively large weights, although such weights are currently used on some vessels. Commenters stated that fishery participants can be and have been seriously injured or killed when struck by longline weights ricocheting from snapped lines. Although the original trials which led to the development of the amendment employed 60 g weights, subsequent research found that the sink times of 40g and 60 g weights differ by only a tenth of a second, suggesting that the 45 g weights, which are most commonly employed in the Hawaii-based longline fishery, would not affect the efficacy of side-setting in minimizing seabird interactions. Therefore, the Council will also consider action to require weights of 45 g or heavier when side-setting, instead of the 60 g weights included in the proposed rule.

A public hearing will be held during the Council meeting to give the public opportunity to comment before the Council takes action on this agenda item.

## 2. Other Business.

Although non-emergency issues that are not contained in this agenda may

come before the Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this document and to any issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

## Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, telephone: (808) 522-8220, fax: (808) 522-8226, at least 5 working days prior to the meeting date.

Dated: October 6, 2005.

**Emily Menashes,**

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

[FR Doc. E5-5592 Filed 10-12-05; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 092905C]

### Marine Mammals; File No. 1078-1796

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that The Georgia Aquarium, 2451 Cumberland Parkway, Suite 3639, Atlanta, GA 30339-6157 [Jeffery S. Swanagan, Responsible Party] has been issued a permit to import two beluga whales (*Delphinapterus leucas*) for public display.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5309.

### FOR FURTHER INFORMATION CONTACT:

Jennifer Skidmore or Kate Swails, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On July 5, 2005, notice was published in the **Federal Register** (70 FR 38658) that a request for a public display permit to import two male, adult beluga whales from Grupo Empresarial Chapultepec, S.A. DE C.V., Mexico City, Mexico to the Georgia Aquarium in Atlanta, GA had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the permitted activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Dated: October 6, 2005.

**Stephen L. Leathery,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 05-20553 Filed 10-12-05; 8:45 am]

**BILLING CODE 3510-22-S**

## CONSUMER PRODUCT SAFETY COMMISSION

### Petition Requesting Amendment to Ban on Infant Pillows (Petition HP 05-1)

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** The United States Consumer Product Safety Commission (Commission or CPSC) has received a petition (HP 05-1) requesting that the Commission amend the ban on infant pillows to permit the use of such pillows if they are designed, intended and promoted for nursing, and when such pillows are requested by a pediatrician or board certified lactation consultant. The Commission solicits written comments concerning the petition.

**DATES:** The Office of the Secretary must receive comments on the petition by December 12, 2005.

**ADDRESSES:** Comments on the petition may be filed by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov). Comments may also be filed by facsimile to (301) 504-0127 or by mail, preferably in five copies, to the Office of the Secretary, Consumer Product Safety Commission,

Washington, DC 20207, telephone (301) 504-0800, or delivered to the Office of the Secretary, Room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Comments should be captioned "Petition HP 05-1, Petition Requesting Amendment to Ban on Infant Pillows." A copy of the petition is available for inspection at the Commission's Office of the Secretary, Room 502, 4330 East-West Highway, Bethesda, Maryland. The petition is also available on the CPSC web site at [www.cpsc.gov](http://www.cpsc.gov).

**FOR FURTHER INFORMATION CONTACT:** Rochelle Hammond, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-6833, e-mail [rhammond@cpsc.gov](mailto:rhammond@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission has received correspondence from Boston Billows, Inc. requesting that the Commission amend 16 C.F.R. 1500.18(a)(16)(i), to permit the use of banned infant pillows, such as the Boston Billow Nursing Pillow (Boston Pillow), when the pillow is designed, intended and promoted for a mother's use during breastfeeding and when such pillows are requested by a pediatrician or a board certified lactation consultant.

Boston Billows asserts such an amendment is necessary given the current use of the Boston Pillow in hospitals and by lactation consultants. In addition, Boston Billows states that due to the physical configuration of the Boston Pillow, it is unlikely that an infant could fall asleep on it in a position that would compromise the infant's ability to breathe.

The request for an amendment to the ban on infant pillows is docketed as petition number HP 05-1 under the Federal Hazardous Substances Act, 15 U.S.C. 1261-1278.

Interested parties may obtain a copy of the petition by writing or calling the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0800. The petition is available on the CPSC Web site at [www.cpsc.gov](http://www.cpsc.gov).

Dated: October 7, 2005.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 05-20524 Filed 10-12-05; 8:45 am]

**BILLING CODE 6355-01-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0142]

#### Federal Acquisition Regulation; Submission for OMB Review; Past Performance Information

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning past performance information. A request for public comments was published in the **Federal Register** at 70 FR 45370, August 5, 2005. No comments were received.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

**DATES:** Submit comments on or before November 14, 2005.

**ADDRESSES:** Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat (VIR), 1800 F Street, NW, Room 4035, Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT** Ms. Cecelia Davis, Contract Policy Division, GSA, (202) 219-0202.

**SUPPLEMENTARY INFORMATION:**

#### A. Purpose

Past performance information is relevant information, for future source selection purposes, regarding a contractor's actions under previously awarded contracts. When past performance is to be evaluated, the rule states that the solicitation shall afford offerors the opportunity to identify Federal, state and local government, and private contracts performed by offerors that were similar in nature to the contract being evaluated.

#### B. Annual Reporting Burden

*Respondents:* 150,000.

*Responses Per Respondent:* 4.

*Annual Responses:* 600,000.

*Hours Per Response:* 2.

*Total Burden Hours:* 1,200,000.

#### OBTAINING COPIES OF

**PROPOSALS:** Requesters may obtain a copy of the information collection documents from the General Services Administration, FAR Secretariat (VIR), Room 4035, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0142, Past Performance Information, in all correspondence.

Dated: October 6, 2005.

**Gerald Zaffos,**

*Acting Director, Contract Policy Division.*

[FR Doc. 05-20480 Filed 10-12-05; 8:45 am]

**BILLING CODE 6820-EP-S**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0010]

#### Federal Acquisition Regulation; Information Collection; Progress Payments

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement