date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 St. Mary's, AK [Revised]

St. Mary's, St. Mary's Airport, AK
(Lat. 62°03′39″ N., long. 163°18′07″ W.)

That airspace extending upward from 700 feet above the surface within a 8.7-mile radius of the St. Mary's Airport, and within 4 miles east and 8 miles west of the 202° bearing from the St. Mary's Airport, extending from the 8.7-mile radius to 16 miles south of the St. Mary's Airport.

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Issued in Anchorage, AK, on May 16, 2008.

Anthony M. Wylie,

Manager, Alaska Flight Services Information Area Group.

[FR Doc. E8–11982 Filed 5–29–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2008–0180; Airspace Docket No. 08–AAL–6]

Revocation of Area Navigation Jet Routes J–888R and J–996R: Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes Area Navigation (RNAV) Jet Routes J–888R and J–996R, Alaska. These routes are no longer required by the Anchorage Air Route Traffic Control Center (ARTCC).

DATES: *Effective Date:* 0901 UTC, July 31, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

On April 3, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to revoke two area navigation routes in Alaska. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. With the exception of editorial changes, this amendment is the same as that published in the notice of proposed rulemaking.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by revoking J–888R and J–996R. The Anchorage ARTCC requested the two RNAV Jet Routes be removed from the National Airspace System because they are no longer being used. The first route is J–888R from AMOTT (near Anchorage, AK) and ends at OZZIE (south of Bethel, AK). The second route is J–996R from Cape Newenham, AK, and ends at AMOTT (near Anchorage, AK). The FAA is taking this action to enhance the efficient use of the navigable airspace in Alaska.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it revokes RNAV Routes in Alaska.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, Environmental Impacts: Polices and Procedures. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

Paragraph 2005 Alaska Area Navigation Routes

* * * * *

J–888R [Revoked]

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J–996R [Revoked]

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Issued in Washington, DC, on May 22, 2008.

Stephen L. Rohring,

Acting Manager, Airspace and Rules Group.

[FR Doc. E8–11958 Filed 5–29–08; 8:45 am]

BILLING CODE 4910–13–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Docket No. SSA–2008–0024]

RIN 0960–AG81

Extension of the Expiration Date for Several Body Systems Listings

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: This final rule extends until July 1, 2010, the date on which Listing of Impairments (the listings) for six

body systems will no longer be effective. We use the listings at the third step of the sequential evaluation process when we evaluate your claim for benefits based on disability under title II and title XVI of the Social Security Act (the Act). Other than extending the effective date of the listings, we have made no revisions to the listings; they remain the same as they now appear in the Code of Federal Regulations. This extension will ensure that we continue to have the medical evaluation criteria in the listings to adjudicate disability claims involving these body systems at the third step of the sequential evaluation process.

DATES: This final rule is effective on May 30, 2008.

FOR FURTHER INFORMATION CONTACT: Diane Braunstein, Director, Office of Compassionate Allowances and Listings Improvement, 6401 Security Boulevard, Baltimore, MD 21235–6401. Call (410) 965–1020 for further information about this final rule. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at *http://www.socialsecurity.gov*.

SUPPLEMENTARY INFORMATION:

Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at *http://www.gpoaccess.gov/fr/index.html*.

Background

We use the listings in appendix 1 to subpart P of part 404 at the third step of the sequential evaluation process to evaluate claims filed by adults and children for benefits based on disability under the title II and title XVI programs. The listings are in two parts: Part A for adults and part B for children. If you are an individual age 18 or over, we apply the listings in part A when we assess your claim. If you are an individual under age 18, we first use the criteria in part B of the listings. If the criteria in part B do not apply, we may use the criteria in part A when those criteria give appropriate consideration to the effects of the impairment(s) in children. (See §§ 404.1525 and 416.925.)

Explanation of Changes

In this final rule, we are extending until July 1, 2010, the date on which the listings for the following six body systems will no longer be effective:

Growth Impairment (100.00)
Respiratory System (3.00 and 103.00)
Hematological Disorders (7.00 and 107.00)
Endocrine System (9.00 and 109.00)
Neurological (11.00 and 111.00)
Mental Disorders (12.00 and 112.00)

As a result of our program experience and medical advances in disability evaluation and treatment, we periodically review and update the listings. We intend to publish proposed and final rules to update the listings as expeditiously as possible. However, we will not be able to publish final rules revising the listings for these body systems by July 1, 2008, the expiration date currently in the Code of Federal Regulations. Therefore, we are extending the current expiration date for the listings as indicated above.

In final rules published on June 19, 2007, (72 FR 33662), we extended to July 1, 2008, the date on which the following eight body systems listings would no longer be effective: Growth Impairment; Respiratory System; Digestive System; Hematological Disorders; Endocrine System; Neurological; Mental Disorders; and Immune System.

We have taken significant steps to revise and update each of our listings. Since the June 19, 2007, extension of the listings, we have published final rules for the Digestive System (5.00 and 105.00, published October 19, 2007 (72 FR 59397)) and Immune System Disorders (14.00 and 114.00, published March 18, 2008 (73 FR 14570)), a notice of proposed rulemaking for malignant neoplastic diseases (13.00 and 113.00 published April 28, 2008 (73 FR 22871)), and an advanced notice of proposed rulemaking for Evaluating Human Immunodeficiency Virus (HIV) Infection (published March 18, 2008, (73 FR 14409)).

Not all listings require effective date extensions at this time. The following chart shows several recently updated listings that do not require effective date extensions and are not affected by this final rule.

Listing	Revised	Date no longer effective unless extended or revised and promulgated again
Immune System Disorders 14.00 and 114.00 ..	March 18, 2008, 73 FR 14570	June 16, 2016, 73 FR at 14601.
Digestive System 5.00 and 105.00	October 19, 2007, 72 FR 59398	October 19, 2012, 72 FR at 59422.
Special Senses and Speech 2.00 and 102.00 ..	November 20, 2006 (visual disorders), 71 FR 67037.	February 20, 2015, 71 FR at 67050.
Cardiovascular System 4.00 and 104.00	January 13, 2006, 71 FR 2312	January 13, 2011, 71 FR at 2325.
Multiple Body Systems 10.00 and 110.00	August 30, 2005, 70 FR 51252	October 31, 2013, 70 FR at 51259.
Genitourinary Impairments 6.00 and 106.00	July 5, 2005, 70 FR 38582	September 6, 2013, 70 FR at 38590.
Malignant Neoplastic Diseases 13.00 and 113.00.	November 15, 2004, 69 FR 67018	December 15, 2009, 69 FR at 67032.
Skin Disorders 8.00 and 108.00	June 9, 2004, 69 FR 32260	July 9, 2012, 69 FR at 32269.
Musculoskeletal System 1.00 and 101.00	November 19, 2001, 66 FR 58010	February 19, 2009, 66 FR at 58037.

Regulatory Procedures

Justification for Final Rule

Pursuant to section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5), we follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 when developing regulations. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that, under 5 U.S.C. 553(b)(B), good cause exists for dispensing with the notice and public comment procedures for this rule. Good cause exists because this final rule only extends the date on which these body system listings will no longer be effective. It makes no substantive changes to those listings. The current regulations expressly provide that listings may be extended, as well as revised and promulgated again. Therefore, we have determined that opportunity for prior comment is unnecessary, and we are issuing this regulation as a final rule.

In addition, we find good cause for dispensing with the 30-day delay in the effective date of a substantive rule provided by 5 U.S.C. 553(d)(3). As explained above, we are not making any substantive changes in these body

system listings. Without an extension of the expiration dates for these listings, we will lack the medical evaluation criteria needed for assessing impairments in these body systems at the third step of the sequential evaluation process. In order to ensure that we continue to have these listings in our rules, we find that it is in the public interest to make this final rule effective on the date of publication.

Executive Order 12866

We have consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the criteria for a significant regulatory action under Executive Order 12866, as amended. Thus, OMB did not review it. We have also determined that this final rule meets the plain language requirement of Executive Order 12866, as amended.

Regulatory Flexibility Act

We certify that this final rule does not have a significant economic impact on a substantial number of small entities because it affects only individuals. Therefore, a regulatory flexibility analysis, as provided in the Regulatory Flexibility Act, as amended, is not required.

Paperwork Reduction Act

This final rule imposes no reporting/recordkeeping requirements necessitating clearance by OMB.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-Age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social Security.

Dated: May 27, 2008.

Michael J. Astrue,

Commissioner of Social Security.

■ For the reasons set forth in the preamble, part 404, subpart P, chapter III of title 20 of the Code of Federal Regulations is amended as set forth below.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950–)

Subpart P—[Amended]

■ 1. The authority citation for subpart P of part 404 continues to read as follows:

Authority: Secs. 202, 205(a), (b), and (d)–(h), 216(i), 221(a) and (i), 222(c), 223, 225, and 702(a)(5) of the Social Security Act (42 U.S.C. 402, 405(a), (b), and (d)–(h), 416(i), 421(a) and (i), 422(c), 423, 425, and 902(a)(5)); sec. 211(b), Pub. L. 104–193, 110 Stat. 2105, 2189; sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. Appendix 1 to subpart P of part 404 is amended by revising items 1, 4, 8, 10, 12, and 13 of the introductory text before Part A to read as follows:

Appendix 1 to Subpart P of Part 404—Listing of Impairments

* * * * *

1. Growth Impairment (100.00): July 1, 2010.

* * * * *

4. Respiratory System (3.00 and 103.00): July 1, 2010.

* * * * *

8. Hematological Disorders (7.00 and 107.00): July 1, 2010.

* * * * *

10. Endocrine System (9.00 and 109.00): July 1, 2010.

* * * * *

12. Neurological (11.00 and 111.00): July 1, 2010.

13. Mental Disorders (12.00 and 112.00): July 1, 2010.

* * * * *

[FR Doc. E8–12124 Filed 5–29–08; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 878

[Docket No. FDA–2006–P–0140] (formerly Docket No. 2006P–0071)

General and Plastic Surgery Devices; Reclassification of the Tissue Adhesive for Topical Approximation of Skin Device

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is reclassifying the device type, tissue adhesive for the topical approximation of skin, from class III (premarket approval) into class II (special controls). Tissue adhesives for non-topical uses remain in class III and continue to require premarket approval applications (PMAs). FDA is proposing this reclassification in accordance with the Federal Food, Drug, and Cosmetic Act (the act). Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of a guidance document entitled ''Class II Special Controls Guidance Document: Tissue Adhesive for the Topical Approximation of Skin'' that will serve as the special control for the reclassified device type.

DATES: This final rule is effective June 30, 2008.

FOR FURTHER INFORMATION CONTACT: George J. Mattamal, Center for Devices and Radiological Health (HFZ–410), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 240–276–3619.

SUPPLEMENTARY INFORMATION:

I. Regulatory Authorities

The act, as amended by the Medical Device Amendments of 1976 (the 1976 amendments) (Public Law 94–295), the Safe Medical Devices Act of 1990 (SMDA) (Public Law 101–629), and the Food and Drug Administration Modernization Act of 1997 (FDAMA) (Public Law 105–115), among other amendments, established a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three categories of devices are class I (general controls), class II (special controls), and class III (premarket approval).

The 1976 amendments broadened the definition of ''device'' in section 201(h) of the act (21 U.S.C. 321(h)) to include certain articles that were once regulated as drugs. Under the 1976 amendments, Congress classified all transitional devices, i.e., those devices previously regulated as new drugs, into class III. SMDA amended section 520(l) of the act (21 U.S.C. 360j(l)) to direct FDA to collect certain safety and effectiveness information from the manufacturers of transitional devices still remaining in class III to determine whether the devices should be reclassified into class II (special controls) or class I (general controls). The legislative history of the SMDA reflects congressional concern that many transitional devices were not appropriately regulated in class III (H. Rept. 808, 101st Cong., 2d sess. 26–27 (1990); S. Rept. 513, 101st Cong., 2d sess. 27 (1990)).

Accordingly, in the **Federal Register** of November 14, 1991 (56 FR 57960), FDA issued an order under section 520(l)(5)(A) of the act, requiring manufacturers of transitional devices to submit to FDA a summary of and a citation to any information known or otherwise available to them respecting the devices, including adverse safety or effectiveness information, that had not