

(1) Perform a visual inspection for leaks. Use 3.A.(1) through 3.A.(2) of the Accomplishment Instructions of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005.

(2) If you find a leak that you cannot fix without removing the propeller, perform an internal fluorescent penetrant inspection for cracks. Use 3.B.(1) through 3.B.(11)(h) of the Accomplishment Instructions of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005.

(3) If you find a crack, replace the propeller shaft before further flight.

#### **Repetitive Visual Inspection**

(i) Thereafter, repeat the inspections of paragraphs (h)(1) through (h)(2) of this AD at not greater than 7 days between inspections.

#### **Internal Fluorescent Penetrant Inspection**

(j) For all propeller shafts that have a SN listed in Table 4 of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005, do the following within 250 hours time-in-service or 3 months, whichever is earlier, after the effective date of this AD:

(1) Perform an internal fluorescent penetrant inspection for cracks on all propeller shafts that have a SN listed in Table 4 of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005. Use 3.B.(1) through 3.B.(11)(h) of the Accomplishment Instructions of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005.

(2) If you find a crack, replace the propeller shaft before further flight.

#### **Terminating Actions**

(k) Replace any propeller shaft that has a SN listed in Table 4 of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005, by December 31, 2007.

(l) Replacing a propeller shaft with a propeller shaft that doesn't have a SN listed in Table 4 of P&WC SB No. PW100-72-21714, Revision 2, dated May 20, 2005, terminates the repetitive inspection requirements in paragraph (i) of this AD.

#### **Alternative Methods of Compliance**

(m) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### **Related Information**

(n) Transport Canada airworthiness directive No. CF-2005-29, dated August 3, 2005, also addresses the subject of this AD.

#### **Material Incorporated by Reference**

(o) You must use Pratt & Whitney Canada Service Bulletin No. PW100-72-21714, Revision 2, dated May 20, 2005 to perform the actions required by this AD. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Pratt & Whitney Canada Corp., 1000, Marie-Victorin, Longueuil, Québec, Canada J4G 1A1; telephone 450-677-9411, for a copy of this service information. You may review copies at the FAA, New England Region, Office of the Regional Counsel, 12 New England

Executive Park, Burlington, MA; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on September 6, 2006.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Bureau of Customs and Border Protection**

#### **19 CFR Part 103**

[CBP Dec. 06-24]

**RIN 1651-AA47**

#### **Confidentiality of Commercial Information**

**AGENCY:** Customs and Border Protection, Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document finalizes, without change, the interim rule published on August 11, 2003, as CBP Decision 03-02, adopting for Customs and Border Protection (CBP), as a component of the Department of Homeland Security, the disclosure procedures that CBP had historically followed as the Customs Service in the Department of the Treasury regarding commercial information that was provided to the agency by a business submitter.

**EFFECTIVE DATE:** October 16, 2006.

#### **FOR FURTHER INFORMATION CONTACT:**

Gregory R. Vilders, Office of Regulations and Rulings, (202) 572-8772.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

The CBP regulations regarding information requested pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended, are set forth in Part 103 of title 19 of the Code of Federal Regulations (19 CFR Part 103). These regulations were the regulations of the former U.S. Customs Service (Customs). As a component of Treasury, Customs supplemented its regulations with the Treasury regulations (found at 31 CFR Part 1) regarding public access to records. Section 1.6 of the Treasury regulations (31 CFR 1.6) concerns the treatment of information denominated

as "business information." This section provides that such information provided to the Treasury by a "business submitter" shall not be disclosed pursuant to a FOIA request except in accordance with the provisions of the section. Part 103 of the CBP regulations did not have a similar provision, and Customs had followed Treasury's disclosure procedure set forth in 31 CFR 1.6 since it was promulgated in 1987.

Pursuant to the Treasury regulation, Customs did not require business submitters to designate information as protected from disclosure as privileged or confidential under exemption 4 of the FOIA (5 U.S.C. 552(b)(4)) in order for the agency to not disclose such "commercial information," defined as trade secrets or commercial or financial information obtained from a person and privileged or confidential. For example, Customs routinely considered commercial information appearing on entry documents as confidential and privileged under exemption 4, and did not require business submitters to respond to a notice from Customs with a written detailed statement specifying the reasons for the claim of confidentiality.

On March 1, 2003, Customs was transferred from Treasury to the Department of Homeland Security (DHS). Pub. L. 107-296, 6 U.S.C. 133, 116 Stat. 2135. DHS published its disclosure of information procedures in an interim rule published in the **Federal Register** (68 FR 4055) on January 27, 2003. Under this rule, established at 6 CFR, Chapter I, Part 5, the DHS FOIA provisions apply to all Treasury components transferred to DHS, except to the extent that such component has adopted separate guidance under the FOIA (6 CFR 5.1(a)(2)).

The DHS FOIA regulation at 6 CFR 5.8(c) provides that a submitter of business information will use good faith efforts to designate, by appropriate markings, either at the time of submission or at a reasonable time thereafter, any portions of its submission that it considers to be protected from disclosure under exemption 4 of the FOIA. The regulations also state that, before business information will be released, notice will be provided to business submitters whenever (1) a FOIA request is made that seeks the business information that has been designated in good-faith as confidential, or (2) the DHS component agency has a reason to believe that the information may be protected from disclosure. When notice is provided by the agency, the submitter is required to submit a detailed written statement specifying the grounds for

withholding any portion of the information and show why the information is a trade secret or commercial or financial information that is privileged or confidential.

Because CBP wished to continue its practice of not requiring business submitters of commercial information to designate such information as protected from disclosure, it published an interim rule in the **Federal Register** (68 FR 47453) on August 11, 2003, as CBP Decision 03-02 that amended Part 103 of the CBP regulations by adding a new § 103.35 to subpart C. New § 103.35 adopted Treasury's established disclosure procedure that had been followed by Customs since 1987 to assure the trading community that the transfer of Customs from Treasury to DHS would not affect the treatment of commercial information that business submitters provide to CBP.

The comment period for the interim regulations closed on October 10, 2003. No comments were received from the public in response to the interim rule, and CBP is now adopting the interim rule as a final rule without change.

#### Signing Authority

This final rule is being issued in accordance with 19 CFR 0.2(a) pertaining to the authority of the Secretary of the Department of Homeland Security, or his or her designee, to issue Customs regulations that are not related to customs revenue functions.

#### Regulatory Flexibility Act and Executive Order 12866

As discussed above, these regulations were published as an interim rule on August 11, 2003. Because no notice of proposed rulemaking was required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. Further, this document does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

#### List of Subjects in 19 CFR Part 103

Administrative practice and procedure, Confidential commercial information, Freedom of Information, Reporting and recordkeeping requirements.

#### Amendments to the Regulations

■ For the reasons set forth above, the interim rule amending part 103 of title 19 of the Code of Federal Regulations (19 CFR part 103), which was published in the **Federal Register** at 68 FR 47453 on August 11, 2003, is adopted as a final rule without change.

Dated: September 8, 2006.

**Deborah J. Spero,**

*Acting Commissioner, Customs and Border Protection.*

[FR Doc. E6-15225 Filed 9-13-06; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 1271

[Docket No. 2006N-0051]

#### Health Resources and Services Administration

#### 42 CFR Part 121

### Blood Vessels Recovered With Organs and Intended for Use in Organ Transplantation; Withdrawal

**AGENCIES:** Food and Drug Administration, Health Resources and Services Administration, HHS.

**ACTION:** Direct final rule; withdrawal.

**SUMMARY:** The Health Resources and Services Administration (HRSA) and the Food and Drug Administration (FDA) published in the **Federal Register** of May 12, 2006 (71 FR 27606), a direct final rule to amend the regulations to consider as part of an organ those blood vessels recovered with the organ that are intended for use in organ transplantation; and to exclude such blood vessels from the definition of human cells, tissues, and cellular and tissue-based products. The comment period closed July 26, 2006. HRSA and FDA are withdrawing the direct final rule because FDA received significant adverse comment. The agencies will consider the comments received under our usual procedures for notice and comment in connection with the notice of proposed rulemaking that was published as a companion to the direct final rule (71 FR 27649).

**DATES:** The direct final rule published on May 12, 2006 (71 FR 27606), is withdrawn effective September 14, 2006.

#### FOR FURTHER INFORMATION CONTACT:

For information regarding FDA's rule: Pamela Pope, Center for Biologics Evaluation and Research (HFM-17), Food and Drug Administration, 1401 Rockville Pike, suite 200N, Rockville, MD 20852-1448, 301-827-6210.

For information regarding HRSA's rule: Jim Burdick, Division of Transplantation, Healthcare

Systems Bureau, Health Resources and Services Administration, 5600 Fishers Lane, room 12C-06, Rockville, MD 20857, 301-443-7577.

**SUPPLEMENTARY INFORMATION:** HRSA and FDA published a direct final rule in the **Federal Register** of May 12, 2006 (71 FR 27606), to amend the regulations to consider as part of an organ those blood vessels recovered with the organ that are intended for use in organ transplantation (HRSA regulation); and to exclude such blood vessels from the definition of human cells, tissues, and cellular and tissue-based products (FDA regulation).

HRSA and FDA received significant adverse comment in response to the direct final rule. Therefore, the direct final rule is being withdrawn. HRSA and FDA intend to finalize the proposed rule after considering comments.

**Authority:** Therefore, under the Public Health Service Act and under authority delegated to the Commissioner of Food and Drugs and to the Administrator, Health Resources and Services Administration, the direct final rule published on May 12, 2006 (71 FR 27606), is withdrawn.

Dated: September 6, 2006.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

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BILLING CODE 4160-01-S

## POSTAL SERVICE

### 39 CFR Parts 111 and 958

#### Post Office Box and Caller Service

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule transfers responsibility for final agency decisions in connection with Post Office™ box termination, caller service termination, and denial of service appeals from the Judicial Officer Department to the vice president and Consumer Advocate.

**DATES:** *Effective Date:* September 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Anthony F. Alverno, Chief Counsel, Customer Programs, 202-268-2997.

**SUPPLEMENTARY INFORMATION:** At present, if a postmaster denies a customer's application for Post Office box or caller service or terminates a customer's Post Office box or caller service, the postmaster must issue a written letter explaining his or her decision and include a copy of the