

Chevak, AK, Chevak, RNAV (GPS) RWY 32, Orig-A, CANCELLED

Chevak, AK, Chevak, Takeoff Minimums and Obstacle Departure Procedures, Orig

Okeechobee, FL, Okeechobee County, RNAV (GPS) RWY 5, Orig

Okeechobee, FL, Okeechobee County, RNAV (GPS) RWY 23, Orig

Okeechobee, FL, Okeechobee County, Takeoff Minimums and Obstacle Departure Procedures, Orig

Americus, GA, Souther Field, Takeoff Minimums and Obstacle Departure Procedures, Orig

Russell, KS, Russell Muni, RNAV (GPS) RWY 17, Orig

Russell, KS, Russell Muni, RNAV (GPS) RWY 35, Orig

Russell, KS, Russell Muni, VOR/DME-A, Amdt 5

Russell, KS, Russell Muni, GPS RWY 17, Orig, CANCELLED

Russell, KS, Russell Muni, GPS RWY 35, Orig, CANCELLED

Russell, KS, Russell Muni, Takeoff Minimums and Obstacle DP, Amdt 1

Crookston, MN, Crookston Muni/Kirkwood FLD, RNAV (GPS) RWY 13, Orig

Crookston, MN, Crookston Muni/Kirkwood FLD, RNAV (GPS) RWY 31, Orig

Crookston, MN, Crookston Muni/Kirkwood FLD, NDB RWY 13, Amdt 8

Crookston, MN, Crookston Muni/Kirkwood FLD, GPS RWY 31, Amdt 1, CANCELLED

Crookston, MN, Crookston Muni/Kirkwood FLD, Takeoff Minimums and Obstacle DP, Amdt 2

New Albany, MS, New Albany-Union Co, RNAV (GPS) RWY 18, Orig

New Albany, MS, New Albany-Union Co, RNAV (GPS) RWY 36, Orig

New Albany, MS, New Albany-Union Co, Takeoff Minimums and Obstacle Departure Procedures, Orig

Newberry, SC, Newberry County, NDB RWY 22, Amdt 5

Newberry, SC, Newberry County, Takeoff Minimums and Obstacle Departure Procedures, Orig

[FR Doc. E7-16409 Filed 8-22-07; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 48 and 602

[TD 9346]

RIN 1545-BC08

Entry of Taxable Fuel; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains a correction to final regulations (TD 9346) that were published in the **Federal Register** on Friday, July 27, 2007 (72 FR 41222) relating to the tax on the entry of taxable fuel into the United States.

DATES: The correction is effective August 23, 2007.

FOR FURTHER INFORMATION CONTACT: Celia Gabrysh at (202) 622-3130 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction are under section 4081 of the Internal Revenue Code.

Need for Correction

As published, final regulations (TD 9346) contain an error that may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication of the final regulations (TD 9346), which was the subject of FR Doc. E7-14491, is corrected as follows:

On page 41222, column 3, in the preamble, under the paragraph heading "Background", the last line of the last paragraph of the column, the language "nonsubstantive, clerical changes need to" is corrected to read "nonsubstantive, clerical changes needed to".

LaNita Van Dyke,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E7-16626 Filed 8-22-07; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[TD 9344]

RIN 1545-BG24

Change to Office to Which Notices of Nonjudicial Sale and Requests for Return of Wrongfully Levied Property Must Be Sent; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final and temporary regulations.

SUMMARY: This document contains corrections to final and temporary regulations that were published in the **Federal Register** on Friday, July 20, 2007 relating to the discharge of liens under section 7425 and return of wrongfully levied property under section 6343.

FOR FURTHER INFORMATION CONTACT: Robin M. Ferguson at (202) 622-3630.

SUPPLEMENTARY INFORMATION:

Background

The final and temporary regulations (TD 9344) that are the subject of these corrections are under sections 7425 and 6343 of the Internal Revenue Code.

Need for Correction

As published, the final and temporary regulations (TD 9344) contain errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the final and temporary regulations (TD 9344) that were the subject of FR Doc. E7-14053 are corrected as follows:

1. On page 39738, column 1, in the preamble, under the caption "**FOR FURTHER INFORMATION CONTACT:**", line 2, the language "Robin M. Ferguson, (202) 622-3610 (not)" is corrected to read "Robin M. Ferguson, (202) 622-3630 (not)".

2. On page 39739, column 1, in the preamble, under paragraph heading "Drafting Information", lines 4 and 5, the language "and Administration (Collection, Bankruptcy and Summonses Division)" should be corrected to read "and Administration."

LaNita Van Dyke,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E7-16651 Filed 8-22-07; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. CGD05-07-081]

RIN 1625-AA00

Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone upon certain waters of the Patapsco River, Northwest Harbor, and Inner Harbor during the movement of the historic sloop-of-war USS CONSTELLATION. This action is necessary to provide for the safety of life on navigable waters during the tow of the vessel from its berth at the Inner Harbor in Baltimore, Maryland, to a

point on the Patapsco River near the Fort McHenry National Monument and Historic Shrine in Baltimore, Maryland, and return. This action will restrict vessel traffic in portions of the Patapsco River, Northwest Harbor, and Inner Harbor during the event.

DATES: This rule is effective from 2 p.m. through 7 p.m. local time on September 14, 2007.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05-07-081 and are available for inspection or copying at Commander, U. S. Coast Guard Sector Baltimore, 2401 Hawkins Point Road, Building 70, Waterways Management Division, Baltimore, Maryland, 21226-1791 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Ronald Houck, at Coast Guard Sector Baltimore, Waterways Management Division, at telephone number (410) 576-2674 or (410) 576-2693.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) and (d)(3), the Coast Guard finds that good cause exists for not publishing an NPRM and for making this rule effective less than 30 days after publication in the *Federal Register*. Publishing an NPRM and delaying its effective date would be contrary to the public interest, because there is not sufficient time to publish a proposed rule in advance of the event and for safety concerns, it is in the public interest to have a safety zone in place for the event, since immediate action is needed to protect persons and vessels against the potential hazards associated with the towing and turn-around of the historic sloop-of-war USS CONSTELLATION, such as collisions with other vessels operating in the confined waterways.

Background and Purpose

The USS CONSTELLATION Museum is planning to conduct a "turn-around" ceremony involving the sloop-of-war USS CONSTELLATION in Baltimore, Maryland on Friday, September 14, 2007. Planned events include a three-hour, round-trip tow of the CONSTELLATION in the Port of Baltimore, with an onboard salute with navy pattern cannon while the historic vessel is positioned off Fort McHenry National Monument and Historic Site. The historic Sloop-of-War USS

CONSTELLATION will be towed "dead ship," which means that the vessel will be underway without the benefit of mechanical or sail propulsion. The return dead ship tow of the CONSTELLATION to its berth in the Inner Harbor is expected to occur immediately upon execution of a tug-assisted turn-around of the CONSTELLATION on the Patapsco River near Fort McHenry. The Coast Guard anticipates a large recreational boating fleet during this event, scheduled on a late Friday afternoon during the summer in Baltimore, Maryland. Operators should expect significant vessel congestion along the planned route.

The purpose of this rule is to promote maritime safety and protect participants and the boating public in the Port of Baltimore immediately prior to, during, and after the scheduled event. The rule will provide for a clear transit route for the participating vessels, and provide a safety buffer around the participating vessels while they are in transit. The rule will impact the movement of all vessels operating upon certain waters of the Patapsco River, Northwest Harbor and Inner Harbor.

Discussion of Rule

The Coast Guard is establishing a temporary moving safety zone on all waters within 200 yards ahead of or 100 yards outboard or aft of the historic Sloop-of-War USS CONSTELLATION, surface to bottom, while operating in the Inner Harbor, the Northwest Harbor and the Patapsco River, at Baltimore, Maryland. The temporary safety zone will be enforced from 2 p.m. to 7 p.m. on September 14, 2007. The effect will be to restrict general navigation in the area during the event. With the exception of USS CONSTELLATION "turn-around" participants, no person or vessel may enter or remain in the safety zone. Vessels will be allowed to transit the waters of the Inner Harbor, the Northwest Harbor and the Patapsco River outside the safety zone. This safety zone is needed to control vessel traffic during the event to enhance the safety of transiting vessels.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

Although this rule prevents traffic from transiting a portion of the Inner

Harbor, the Northwest Harbor, and the Patapsco River during the towing and turn-around of the historic sloop-of-war USS CONSTELLATION, the effect of this rule will not be significant due to the size and duration of the safety zone, and the extensive notifications that will be made to the maritime community via marine information broadcasts and local notices to mariners, so mariners can adjust their plans accordingly. We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule would affect the following entities, some of which might be small entities: The owners or operators of vessels intending to operate, remain or anchor within certain waters of the Patapsco River, Northwest Harbor and Inner Harbor, in Baltimore, Maryland, from 2 p.m. through 7 p.m. on September 14, 2007. Because the zone is of limited size and duration, it is expected that there will be minimal disruption to the maritime community. Before the effective period, the Coast Guard will issue maritime advisories widely available to users of the river and harbors to allow mariners to make alternative plans for transiting the affected areas. In addition, smaller vessels not constrained by their draft, which are more likely to be small entities, may transit around the safety zone.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. However, we received no requests for assistance from any small entities.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and

responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.ID and Department of Homeland Security Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction, from further environmental documentation. This rule establishes a safety zone.

A final “Environmental Analysis Check List” and a final “Categorical Exclusion Determination” will be available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T05–081 to read as follows:

§ 165.T05–081 Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD.

(a) Definitions. For the purposes of this section:

(1) *Captain of the Port, Baltimore, Maryland* means the Commander, Coast Guard Sector Baltimore or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Baltimore, Maryland to act on his or her behalf.

(2) *USS CONSTELLATION “turn-around” participants* means the USS CONSTELLATION, its support craft, and the accompanying towing vessels.

(b) Location. The following area is a moving safety zone: All waters within 200 yards ahead of or 100 yards outboard or aft of the historic Sloop-of-War USS CONSTELLATION, surface to bottom, while operating in the Inner Harbor, the Northwest Harbor, and the Patapsco River.

(c) Regulations:

(1) The general regulations governing safety zones, found in Sec. 165.23, apply to the safety zone described in paragraph (b) of this section.

(2) With the exception of USS CONSTELLATION “turn-around” participants, entry into or remaining in this zone is prohibited, unless authorized by the Captain of the Port, Baltimore, Maryland.

(3) Persons or vessels requiring entry into or passage through the moving safety zone must first request authorization from the Captain of the Port, Baltimore, Maryland to seek permission to transit the area. The Captain of the Port, Baltimore, Maryland can be contacted at telephone number (410) 576–2693. The Coast Guard vessels enforcing this section can be contacted on Marine Band Radio VHF Channel 16 (156.8 MHz). Upon being

hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the person or vessel shall proceed as directed. If permission is granted, all persons or vessels must comply with the instructions of the Captain of the Port, Baltimore, Maryland, and proceed at the minimum speed necessary to maintain a safe course while within the zone.

(d) Enforcement. The U.S. Coast Guard may be assisted in the patrol and enforcement of the zone by Federal, State and local agencies.

(e) Enforcement period. This section will be enforced from 2 p.m. through 7 p.m. on September 14, 2007.

Dated: August 9, 2007.

Austin J. Gould,

Commander, U.S. Coast Guard, Acting Captain of the Port, Baltimore, Maryland.

[FR Doc. E7-16630 Filed 8-22-07; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

RIN 2900-AM65

Disclosure of Information to Organ Procurement Organizations

AGENCY: Department of Veterans Affairs.

ACTION: Interim final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) regulations to implement section 204 of the Veterans Benefits, Health Care, and Information Technology Act of 2006. This regulatory change will provide authority for VA to provide individually-identifiable VA medical records of veterans or dependents of veterans who are deceased or whose death is imminent to representatives of organ procurement organizations (OPOs) as defined in section 371(b) of the Public Health Service Act (PHS Act), eye banks, and tissue banks to determine whether the patients are suitable potential donors.

DATES: *Effective Date:* This interim final rule is effective August 23, 2007. Comments must be received by VA on or before October 22, 2007.

ADDRESSES: Written comments may be submitted through <http://www.Regulations.gov>; by mail or hand-delivery to the Director, Regulations Management (00REG), Department of Veterans Affairs, 810 Vermont Ave., NW., Room 1068, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to RIN 2900-

AM65—"Disclosure of Information to Organ Procurement Organizations." Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 273-9515 for an appointment. In addition, during the comment period, comments may be viewed online through the Federal Docket Management System (FDMS) at <http://www.Regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Stephania Putt, Veterans Health Administration Privacy Officer, Office of Information (19F2), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Ave., NW., Washington DC 20420, (202) 320-1839.

SUPPLEMENTARY INFORMATION: Organ procurement organizations, eye banks, and tissue banks in the United States operate under specific statutory and regulatory authority. The statutory authority is contained in specific provisions of the Social Security Act (Act) and the PHS Act.

As noted in the preface to the 1988 edition of the United States Code, because title 42, United States Code (USC), has not been enacted into positive law, the provisions in title 42, U.S.C., are prima facie evidence of the laws rather than legal evidence of the laws. Consequently, the Secretary of Health and Human Services (HHS) generally uses and refers to the provisions of the Act and the PHS Act rather than the provisions as codified in title 42, U.S.C., when implementing the provisions of those laws in regulations. *e.g.*, 21 CFR 1271.1, 1271.10. Congress enacted title 38, U.S.C., into positive law, (Pub. L. 85-857 (1958) and reorganized and renumbered in Pub. L. 102-40 and 102-83 (1991)); as a result, the provisions of title 38 as published are legal evidence of the laws contained therein. People who deal with the VA are accustomed to using the section numbering in title 38, U.S.C., as published.

Because VA cites the code sections contained in title 38 and HHS cites the sections of the public laws underlying title 42, the VA will use the HHS citation form for laws under its responsibility, and title 38 section numbers in the regulations. However, for the convenience of the persons who will interact with the VA in the course of the VA's implementation of these regulations, the VA includes the title 42, U.S.C., cross-reference for the provisions of the Act and PHS Act when first cited in the preamble and the rule.

Section 1138(a) of the Act (42 U.S.C. 1320b-8(a)), requires all hospitals or critical access hospitals to establish written protocols for the identification of potential organ donors, and for referrals of potential donors to qualified OPOs that meet the criteria of section 1138(b)(1)(A) of the Act. Section 1138(b) provides that a qualified OPO: (1) Is described in section 371(b) of the PHS Act (42 U.S.C. 273(b)) that is operating under a grant made under section 371(a) of the PHS Act, or (2) has been certified or recertified by the Secretary of Health and Human Services (HHS Secretary) within the previous two years, or four years if the Secretary determines that the organization's past practices merits such treatment as meeting the HHS Secretary's standards to be a qualified OPO. The HHS Secretary shall designate only one OPO for each service area as provided in section 371(b)(1)(E) of the PHS Act. The implementing regulations are at 42 CFR 486.301-348.

Ocular tissue and other tissues are regulated by HHS under section 361 of the PHS Act (42 U.S.C. 264). The implementing regulations are in 21 CFR part 1271. These regulations establish the requirements for eye banks and tissue banks.

Under these respective sets of regulations, OPOs on the one hand and eye banks and tissue banks on the other hand are provided access by medical facilities to the protected health information of patients who are deceased or whose death is imminent without the prior written authorization of the patients so that representatives of the OPOs and eye banks and tissue banks may determine whether the patients may be suitable potential donors.

The rule promulgated by HHS under section 264 of the administrative simplification provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191, 110 Stat. 1936, 2033-34 (1996)) (commonly referred to as the HIPAA Privacy Rule) provides express authority at 45 CFR 164.512(h) for disclosures of protected health information by covered health care providers to "OPOs, or other entities engaged in the procurement, banking or transplantation of organs, eyes, or tissue for the purpose of facilitating organ, eye or tissue donation and transplantation" conducted under the provisions of the PHS Act and its implementing regulations. Disclosures to eye banks and tissue banks are authorized under this language.

The Veterans Health Administration (VHA) is a covered entity under the HIPAA Privacy Rule for purposes of