

**Note:** See Category X(a)(7).

(2) Specially treated or formulated dyes, coatings, and fabrics used in the design, manufacture, or production of personnel protective clothing, equipment, or face paints designed to protect against or reduce detection by radar, infrared, or other sensors at wavelengths greater than 900 nanometers.

**Note:** See Category X(a)(2).

(3) Equipment, materials, coatings, and treatments that are “specially designed” to modify the electro-optical, radiofrequency, infrared, electric, laser, magnetic, electromagnetic, acoustic, electro-static, or wake signatures of defense articles or military items subject to the EAR through control of absorption, reflection, or emission.

(k) Tooling and equipment, as follows:

(1) Tooling and equipment “specially designed” for production of low observable (LO) components; or

(2) Portable platform signature field repair validation equipment (e.g., portable optical interrogator that validates integrity of a repair to a signature reduction structure).

(l) Technical data (as defined in § 120.10 of this subchapter), and defense services (as defined in § 120.9 of this subchapter) directly related to the defense articles enumerated in paragraphs (a) through (h), (j), and (k) of this category. (See also § 123.20 of this subchapter.) (MT for technical data and defense services related to articles designated as such.)

(m) The following interpretations explain and amplify terms used in this category and elsewhere in this subchapter:

(1) Composite armor is defined as having more than one layer of different materials or a matrix.

(2) Spaced armors are metallic or non-metallic armors that incorporate an air space or obliquity or discontinuous material path effects as part of the defeat mechanism.

(3) Reactive armor employs explosives, propellants, or other materials between plates for the purpose of enhancing plate motion during a ballistic event or otherwise defeating the penetrator.

(4) Electromagnetic armor (EMA) employs electricity to defeat threats such as shaped charges.

(5) Materials used in composite armor could include layers of metals, plastics, elastomers, fibers, glass, ceramics, ceramic-glass reinforced plastic laminates, encapsulated ceramics in a metallic or non-metallic matrix, functionally gradient ceramic-metal

materials, or ceramic balls in a cast metal matrix.

(6) For this Category, a material is considered transparent if it allows 75% or greater transmission of light in the visible spectrum through a 1 mm thick nominal sample.

(7) The material controlled in paragraph (e)(3) of this category has not been treated to reach the 75% transmission level referenced in (m)(6) of this category.

(8) Metal laminate armors are two or more layers of metallic materials which are mechanically or adhesively bonded together to form an armor system.

(9)  $E_m$  is the line-of-sight target mass effectiveness ratio and provides a measure of the tested armor's performance to that of rolled homogenous armor, where  $E_m$  is defined as follows:

$$Em = \frac{\rho_{RHA}(Po - Pr)}{AD_{Target}}$$

Where:

$\rho_{RHA}$  = density of RHA, (7.85 g/cm<sup>3</sup>)

Po = Baseline Penetration of RHA, (mm)

Pr = Residual Line of Sight Penetration, either positive or negative (mm RHA equivalent)

$AD_{TARGET}$  = Line-of-Sight Areal Density of Target (kg/m<sup>2</sup>)

(10) NIJ is the National Institute of Justice and Level III refers to the requirements specified in NIJ standard 0108.01 Ballistic Resistant Protective Materials.

\* \* \* \* \*

Dated: May 10, 2012.

**Rose E. Gottemoeller,**

*Acting Under Secretary, Acting Under Secretary, Arms Control and International Security, Department of State.*

[FR Doc. 2012-12123 Filed 5-17-12; 8:45 am]

**BILLING CODE 4710-25-P**

## DEPARTMENT OF JUSTICE

### 28 CFR Part 90

[OVW Docket No. 110]

RIN 1105-AB40

### Removing Unnecessary Office on Violence Against Women Regulations

**AGENCY:** Office on Violence Against Women, Justice.

**ACTION:** Proposed rule.

**SUMMARY:** This rule proposes to remove the regulations for the STOP Violence Against Indian Women Discretionary Grant Program, because the Program no longer exists, and the Grants to Combat Violent Crimes Against Women on

Campuses Program, because the regulations are no longer required and are unnecessary.

**DATES:** Written comments must be postmarked and electronic comments must be submitted on or before July 17, 2012. Comments received by mail will be considered timely if they are postmarked on or before that date. The electronic Federal Docket Management System (FDMS) will accept comments until Midnight Eastern Time at the end of that day.

**ADDRESSES:** To ensure proper handling of comments, please reference “Docket No. OVW 110” on all electronic and written correspondence. The Department encourages the electronic submission of all comments through <http://www.regulations.gov> using the electronic comment form provided on that site. For easy reference, an electronic copy of this document is also available at the <http://www.regulations.gov> Web site. It is not necessary to submit paper comments that duplicate the electronic submission, as all comments submitted to <http://www.regulations.gov> will be posted for public review and are part of the official docket record. However, should you wish to submit written comments through regular or express mail, they should be sent to Kathi Grasso, Office on Violence Against Women, United States Department of Justice, 145 N Street NE., Suite 10W.121, Washington, DC 20530.

### FOR FURTHER INFORMATION CONTACT:

Kathi Grasso, Office on Violence Against Women (OVW), United States Department of Justice, 145 N Street NE., Suite 10W.121, Washington, DC 20530 at [kathi.grasso2@usdoj.gov](mailto:kathi.grasso2@usdoj.gov) or (202) 305-9098.

### SUPPLEMENTARY INFORMATION:

*Posting of Public Comments.* Please note that all comments received are considered part of the public record and made available for public inspection online at <http://www.regulations.gov>. Such information includes personal identifying information (such as your name and address) voluntarily submitted by the commenter.

You are not required to submit personal identifying information in order to comment on this rule. If you want to submit personal identifying information (such as your name and address) as part of your comment, but do not want it posted online, you must include the phrase “PERSONAL IDENTIFYING INFORMATION” in the first paragraph of your comment. You also must locate all personal identifying information that you do not want posted online in the first paragraph of your

comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be posted online, you must include the phrase "CONFIDENTIAL BUSINESS INFORMATION" in the first paragraph of your comment. You also must prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted on <http://www.regulations.gov>.

Personal identifying and confidential business information identified and located as set forth above will be placed in the agency's public docket file, but not posted online. If you wish to inspect the agency's public docket file in person by appointment, please see the paragraph above entitled **FOR FURTHER INFORMATION CONTACT**.

The reason the Department requests electronic comments before Midnight Eastern Time, at the end of the day the comment period closes, is that the inter-agency Regulations.gov/Federal Docket Management System (FDMS), which receives electronic comments, terminates the public's ability to submit comments at that time. Commenters in time zones other than Eastern may want to take this fact into account so that their electronic comments can be received. The constraints imposed by the Regulations.gov/FDMS system do not apply to U.S. postal comments which, as stated above, will be considered as timely filed if they are postmarked before Midnight on the day the comment period closes.

## Background

### *STOP VAIW Program*

In 1994, Congress passed the Violence Against Women Act (VAWA), a comprehensive legislative package aimed at ending violence against women. VAWA was enacted on September 13, 1994, as title IV of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, 108 Stat. 1796. VAWA was designed to improve criminal justice system responses to domestic violence, sexual assault, and stalking, and to increase the availability of services for victims of these crimes. The STOP VAIW Program was codified at 42 U.S.C. 3796gg through 3796gg-5. The final rule for this program, found at 28 CFR part 90, subpart C, under the heading Indian Tribal Governments Discretionary Program, was

promulgated on April 18, 1995 (74 FR 19474).

The Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Public Law 109-162, 119 Stat. 2960 (January 5, 2006) (hereinafter "VAWA 2005"), eliminated the STOP VAIW Program and replaced it with the Grants to Indian Tribal Governments Program which is codified at 42 U.S.C. 3796gg-10. Accordingly, this rule proposes to remove the now unnecessary STOP VAIW Program regulations.

### *Higher Education Amendments of 1998*

Violence against women on college and university campuses also is a serious, widespread problem. To help address this problem, Congress authorized the Grants to Combat Violent Crimes Against Women on Campuses Program in title VIII, part E, section 826 of the Higher Education Amendments of 1998, Public Law 105-244, 112 Stat. 1581 (Oct. 7, 1998). Consistent with VAWA, the Grants to Combat Violent Crimes Against Women on Campuses Program is designed to encourage the higher education community to adopt comprehensive, coordinated strategies for preventing and stopping violence against women. This program was originally codified at 20 U.S.C. 1152. VAWA 2005 renamed it the Grants to Combat Violent Crimes on Campus Program (Campus) and recodified it at 42 U.S.C. 14045b. The final rule for the program, found at 28 CFR part 90, subpart E, was promulgated on July 22, 1999 (64 FR 39774).

When VAWA 2005 recodified the program, it removed the requirement for regulations. The current regulations are unnecessary as they add very little that is not already legally required under VAWA 2005 for grantees of the Campus Program. Accordingly, this rule also proposes to remove the Grants To Combat Violent Crimes Against Women on Campuses regulations.

## Regulatory Certifications

### *Executive Orders 12866 and 13563—Regulatory Review*

This regulation has been drafted and reviewed in accordance with Executive Order 12866, "Regulatory Planning and Review," section 1(b), Principles of Regulation, and in accordance with Executive Order 13563, "Improving Regulation and Regulatory Review," section 1(b). General Principles of Regulation.

The Department of Justice has determined that this rule is not a "significant regulatory action" under Executive Order 12866, section 3(f),

Regulatory Planning and Review, and accordingly this rule has not been reviewed by the Office of Management and Budget.

Further, both Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Department has assessed the costs and benefits of this regulation and believes that the regulatory approach selected maximizes net benefits.

### *Executive Order 13132—Federalism*

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### *Executive Order 12988—Civil Justice Reform*

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

### *Executive Order 13175—Consultation and Coordination With Indian Tribal Governments*

As set forth more fully above in the Supplementary Information portion, this rule will not result in substantial direct increased costs to Indian Tribal governments. Eliminating regulations for a program that no longer exists will not affect tribes.

### *Regulatory Flexibility Act*

The Office on Violence Against Women, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this regulation will not have a significant economic impact upon a substantial number of small entities for the following reason: The economic impact is limited to the Office on Violence Against Women's appropriated funds.

*Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

*Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in cost or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete in domestic and export markets.

**List of Subjects in 28 CFR Part 90**

Grant programs; Judicial administration.

For the reason set forth in the preamble, the Office on Violence Against Women proposes to amend 28 CFR part 90 as follows:

**PART 90—VIOLENCE AGAINST WOMEN**

1. The authority citation for Part 90 reads as follows:

**Authority:** 42 U.S.C. 3711–3796gg–7; Sec. 826, Part E, Title VIII, Public Law 105–244, 112 Stat. 1581, 1815.

**Subpart C—Indian Tribal Governments Discretionary Program [Removed and Reserved]**

2. Remove and reserve subpart C, consisting of §§ 90.50–90.59.

**Subpart E—[Removed and Reserved]**

3. Remove and reserve subpart E, consisting of §§ 90.100–90.106.

Dated: May 10, 2012.

**Bea Hanson,**

*Acting Director, Office on Violence Against Women, U.S. Department of Justice.*

[FR Doc. 2012–12134 Filed 5–17–12; 8:45 am]

**BILLING CODE 4410–FX–P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA–R04–OAR–2011–0809; FRL–9673–5]

**Approval and Promulgation of Implementation Plans; Florida; Section 128 and 110(a)(2)(E)(ii) and (G) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Supplemental proposed rule.

**SUMMARY:** EPA is proposing to supplement an April 18, 2012, proposed rule related to submissions provided by the State of Florida, through the Florida Department of Environmental Protection (FDEP) on December 13, 2007, and supplemented on April 18, 2008, to demonstrate that the Florida State Implementation Plan (SIP) meets the “infrastructure” requirements of sections 110(a)(1) and (2) of the Clean Air Act (CAA or Act) for the 1997 8-hour ozone national ambient air quality standards (NAAQS). First, EPA is proposing to supplement that earlier proposed action by proposing full approval of the State’s section 110(a)(2)(E)(ii) infrastructure SIP in addition to the earlier proposed conditional approval of this sub-element. Second, EPA is proposing approval of the State’s section 110(a)(2)(G) infrastructure SIP in addition to the earlier proposed federal implementation plan (FIP) for this element. In addition, EPA is proposing to approve two related draft revisions to the Florida SIP that were submitted for parallel processing by FDEP on April 19, 2012, to address the requirements of section 128 and the substantive requirements of section 110(a)(2)(G) of the CAA.

**DATES:** Written comments must be received on or before June 18, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R04–OAR–2011–0809, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *Email*: R4-RDS@epa.gov.

3. *Fax*: (404) 562–9019.

4. *Mail*: “EPA–R04–OAR–2011–0809,” Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960.

5. *Hand Delivery or Courier*: Lynorae Benjamin, Chief, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Such deliveries are only accepted during the Regional Office’s normal hours of operation. The Regional Office’s official hours of business are Monday through Friday, 8:30 to 4:30, excluding federal holidays.

**Instructions:** Direct your comments to Docket ID No. EPA–R04–OAR–2011–0089. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov* or email, information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov*, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA’s public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm*.

**Docket:** All documents in the electronic docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket