

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS–2006–0029]

#### Gypsy Moth Generally Infested Areas; Ohio, West Virginia, and Wisconsin

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Adoption of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the gypsy moth regulations by adding one county in Ohio, one county in West Virginia, and two counties in Wisconsin to the list of generally infested areas based on the detection of infestations of gypsy moth in those counties. As a result of the interim rule, the interstate movement of regulated articles from those areas is restricted. The interim rule was necessary to prevent the artificial spread of the gypsy moth to noninfested States.

**DATES:** Effective on August 31, 2006, we are adopting as a final rule the interim rule that became effective on April 28, 2006.

**FOR FURTHER INFORMATION CONTACT:** Dr. Weyman Fussell, Program Manager, Pest Detection and Management Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–5705.

#### SUPPLEMENTARY INFORMATION:

##### Background

The gypsy moth, *Lymantria dispar* (Linnaeus), is a destructive pest of forest and shade trees. The gypsy moth regulations (contained in 7 CFR 301.45 through 301.45–12 and referred to below as the regulations) restrict the interstate movement of regulated

articles from generally infested areas to prevent the artificial spread of the gypsy moth.

In an interim rule<sup>1</sup> effective and published in the **Federal Register** on April 28, 2006 (71 FR 25063–25064, Docket No. APHIS–2006–0029), we amended the regulations by adding one county in Ohio, one county in West Virginia, and two counties in Wisconsin to the list of generally infested areas in § 301.45–3.

Comments on the interim rule were required to be received on or before June 27, 2006. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

#### PART 301—DOMESTIC QUARANTINE NOTICES

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 71 FR 25063–25064 on April 28, 2006.

Done in Washington, DC, this 25th day of August 2006.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 06–7308 Filed 8–30–06; 8:45 am]

**BILLING CODE 3410–34–P**

<sup>1</sup> To view the interim rule, go to <http://www.regulations.gov>, click on the “Advanced Search” tab, and select “Docket Search.” In the Docket ID field, enter APHIS–2006–0029, then click on “Submit.” Clicking on the Docket ID link in the search results page will produce a list of all documents in the docket.

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Part 1274

RIN 2700–AD28

#### NASA Grant and Cooperative Agreement Handbook—Resource Sharing Requirements

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the NASA Grant Handbook section, “Resource Sharing Requirements” to add the word percent behind the blanks and add a place to identify the share dollars for the funding and non-cash contributions by both parties.

**DATES:** *Effective Date:* This final rule is effective August 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Jamiel C. Commodore, NASA, Office of Procurement, Contract Management Division; (202) 358–0302; e-mail: [Jamiel.C.Commodore@nasa.gov](mailto:Jamiel.C.Commodore@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

The NASA Grant Handbook at § 1274.904 identifies how NASA and a Cooperative Agreement recipient will share in providing the resources necessary to perform a cooperative agreement. Currently, the provision contains two blanks that do not identify the unit of measure associated with the blanks and does not provide a space for the associated dollar amounts. This final rule makes the corrective editorial changes.

##### B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the changes merely make editorial corrections to existing coverage in the Grant Handbook.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not impose any new recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public that require the approval of the Office of

Management and Budget under 44 U.S.C. 3501, *et seq.*

**List of Subjects in 14 CFR Part 1274**

Grant programs—science and technology.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 14 CFR part 1274 is amended as follows:

■ 1. The authority citation for 14 CFR part 1274 continues to read as follows:

**Authority:** 31 U.S.C. 6301 to 6308; 42 U.S.C. 2451 *et seq.*

**PART 1274—COOPERATIVE AGREEMENTS WITH COMMERCIAL FIRMS**

■ 2. Amend § 1274.904 by revising paragraph (a), redesignating paragraph (b) as (c), and adding new paragraph (b) to read as follows:

**§ 1274.904 Resource Sharing Requirements.**

**Resource Sharing Requirements**

**AUGUST 2006**

\* \* \* \* \*

(a) NASA and the Recipient will share in providing the resources necessary to perform the agreement. NASA funding and non-cash contributions (personnel, equipment, facilities, etc.) and the dollar value of the Recipient's cash and/or non-cash contribution will be on a \_\_ percent (NASA)—\_\_ percent (Recipient) basis. Criteria and procedures for the allowability and allocability of cash and non-cash contributions shall be governed by FAR Parts 30 and 31, and NFS Parts 1830 and 1831.

(b) The funding and non-cash contributions by both parties are represented by the following dollar amounts:

Government Share \_\_\_\_\_  
 Recipient Share \_\_\_\_\_  
 Total Amount \_\_\_\_\_

(c) The Recipient's share shall not be charged to the Government under this Agreement or under any other contract, grant, or cooperative agreement, except to the extent that the Recipient's contribution may be allowable IR&D costs pursuant to FAR 31.205-18(e).

[FR Doc. 06-7362 Filed 8-30-06; 8:45 am]

**BILLING CODE 7510-01-P**

**DEPARTMENT OF COMMERCE**

**Bureau of Industry and Security**

**15 CFR Parts 734, 738, 740, 742, 746, 748, 750, 752, 764, 772 and 774**

**[Docket No. 060816218-6218-01]**

**RIN 0694-AD81**

**Implementation in the Export Administration Regulations of the United States' Rescission of Libya's Designation as a State Sponsor of Terrorism and Revisions Applicable to Iraq**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Interim final rule with request for comments.

**SUMMARY:** In this rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to implement the June 30, 2006 rescission of Libya's designation as a state sponsor of terrorism. The rescission followed the President's May 15, 2006 submission of a report to Congress certifying that Libya had not provided any support for international terrorism during the preceding six months and that Libya had provided assurances that it would not support future acts of international terrorism. To implement the rescission, BIS amends the EAR by removing Libya from the list of terrorist supporting countries in Country Group E:1, and by making other conforming amendments and related revisions throughout the EAR. In particular, Libya is added to Country Group D:1 and remains in Country Groups D:2, D:3, and D:4.

This rule also revises the EAR to reflect the fact that in October 2004 the United States rescinded Iraq's designation as a state sponsor of terrorism. As a result of the rescission of this designation, BIS may no longer control for anti-terrorism (AT) reasons items covered by eight export control classification numbers (ECCNs) for which BIS previously required a license for export or reexport to Iraq, or for transfer within Iraq. Note that BIS now controls these items for regional stability (RS) reasons and continues to require a license for their export or reexport to Iraq, or transfer within Iraq. This rule also amends the EAR to delete all references to Iraq's status as a Designated State Sponsor of Terrorism.

**DATES:** This rule is effective August 31, 2006. Comments must be received October 2, 2006.

**ADDRESSES:** Written comments on this rule may be sent to the Federal

eRulemaking Portal: <http://www.regulations.gov>, or by e-mail to [publiccomments@bis.doc.gov](mailto:publiccomments@bis.doc.gov). Include RIN 0694-AD81 in the subject line of the message. Comments may be submitted by mail or hand delivery to Sheila Quarterman, Office of Exporter Services, Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, 14th & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230, ATTN: RIN 0694-AD81; or by fax: 202-482-3355.

Send comments regarding the collection of information to David Rostker, Office of Management and Budget (OMB), by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or by fax to 202-395-7285.

**FOR FURTHER INFORMATION CONTACT:** Joan Roberts, Director, Foreign Policy Division, Office of Nonproliferation and Treaty Compliance, Bureau of Industry and Security, Department of Commerce, P.O. Box 273, Washington, DC 20044; Telephone: (202) 482-4252, or E-mail: [jroberts@bis.doc.gov](mailto:jroberts@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to implement the June 30, 2006 rescission of Libya's designation as a state sponsor of terrorism. This action is the latest in a series of steps taken by the U.S. Government to reflect the improvement in the bilateral relationship since Libya's announcement in December 2003 that it was renouncing terrorism and giving up its weapons of mass destruction programs. In recognition of these actions, on April 23, 2004, the President terminated the application of the Iran-Libya Sanctions Act with respect to Libya allowing the resumption of most commercial activities with Libya. Concurrent with the President's action, the Department of the Treasury's Office of Foreign Assets Control (OFAC) published a General License implementing the President's action. On April 29, 2004, BIS published an amendment to the EAR that allowed for the licensing and authorization of the export or reexport of dual-use items to Libya. On March 22, 2005, BIS published a second amendment to the EAR on Libya that established a review policy and licensing procedure for items illegally exported or reexported to Libya prior to the end of the comprehensive embargo ("installed base" items). The installed based provisions, as set forth in section 764.7, continue in effect. On November 16, 2005, BIS published a third