

## Background

On July 6, 2006, the Bureau of Industry and Security (BIS) published a rule in the **Federal Register** that proposed amendments to the Export Administration Regulations (EAR) that would revise and clarify the United States' policy for exports and reexports of dual-use items to the People's Republic of China (PRC). Specifically, the proposed rule states that it is the policy of the United States Government to prevent exports that would make a material contribution to the military capability of the PRC, while facilitating U.S. exports to legitimate civil end-users in the PRC. Consistent with this policy, BIS proposes to amend the EAR by revising and clarifying United States licensing requirements and licensing policy on exports and reexports of goods and technology to the PRC.

The proposed amendments include a revision to the licensing review policy for items controlled on the Commerce Control List (CCL) for reasons of national security, including a new control based on knowledge of a military end-use on exports to the PRC of certain CCL items that otherwise do not require a license to the PRC. The items subject to this license requirement will be set forth in a list. This rule further proposes to revise the licensing review policy for items controlled for reasons of chemical and biological proliferation, nuclear nonproliferation, and missile technology for export to the PRC, requiring that applications involving such items be reviewed in conjunction with the revised national security licensing policy.

This rule proposes the creation of a new authorization for validated end-users in certain destinations, including the PRC, to whom certain, specified items may be exported or reexported. Such validated end-users would be placed on a list in the EAR after review and approval by the United States Government.

Finally, this rule proposes to require exporters to obtain End-User Certificates, issued by the PRC Ministry of Commerce, for all items that both require a license to the PRC for any reason and exceed a total value of \$5,000. The current PRC End-Use Certificate applies only to items controlled for national security reasons. This rule also proposes to eliminate the current requirement that exporters submit PRC End-User Certificates to BIS with their license applications but provides that they must retain them for five years.

Dated: August 3, 2006.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security.*

[FR Doc. E6-12864 Filed 8-7-06; 8:45 am]

**BILLING CODE 3510-33-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 81

[EPA-R09-OAR-2006-AZ-0388; FRL-8206-3]

#### **Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of Arizona; Finding of Attainment for Rillito Particulate Matter of 10 Microns or Less (PM<sub>10</sub>) Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements; Correction**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to determine that the Rillito moderate PM-10 nonattainment area in Arizona attained the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>) by the applicable attainment date. In addition, EPA proposes to find that the Rillito area is currently attaining the PM<sub>10</sub> standards, and based on this latter finding, EPA is proposing to determine that certain Clean Air Act requirements are not applicable for so long as the Rillito area continues to attain the PM<sub>10</sub> NAAQS. Lastly, EPA is proposing to correct an error in a previous rulemaking that involved the classification of PM<sub>10</sub> nonattainment areas within the State of Arizona.

**DATES:** Any comments on this proposal must arrive by September 7, 2006.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R09-OAR-2006-AZ-0388 by one of the following methods:

- Federal eRulemaking portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- E-mail: [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov).
- Fax: (415) 947-3579 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).
- Mail: Wienke Tax, Office of Air Planning, Environmental Protection

Agency (EPA), Region 9, Mailcode AIR-2, 75 Hawthorne Street, San Francisco, California 94105-3901.

- Hand Delivery: Wienke Tax, Office of Air Planning, Environmental Protection Agency (EPA), Region 9, Mailcode AIR-2, 75 Hawthorne Street, San Francisco, California 94105-3901. Such deliveries are only accepted Monday through Friday, 8 a.m. to 4:55 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-R09-OAR-2006-AZ-0388. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://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 information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://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 e-mail comment directly to EPA, without going through <http://www.regulations.gov>, your e-mail 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 docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov>

[www.regulations.gov](http://www.regulations.gov) or in hard copy at the Office of Air Planning, Environmental Protection Agency (EPA), Region 9, Mailcode AIR-2, 75 Hawthorne Street, San Francisco, California 94105-3901. EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You may view the hard copy of the docket Monday through Friday, 8 a.m. to 4 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Wienke Tax, Office of Air Planning, U.S. Environmental Protection Agency, Region 9, (520) 622-1622, e-mail: [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document, wherever "we," "us," or "our" is used, we mean the EPA.

This proposal addresses the determination that the Rillito moderate PM<sub>10</sub> nonattainment area in Arizona attained the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>) by the applicable attainment date. This proposal also addresses the determination that, because the Rillito area continues to attain the PM<sub>10</sub> standards, certain attainment demonstration requirements, along with other related requirements of the CAA, are not applicable to the Rillito area. Lastly, EPA is proposing to correct an error in a previous rulemaking that involved the classification of PM<sub>10</sub> nonattainment areas within the State of Arizona.

In the Rules and Regulations section of this **Federal Register**, we are taking direct final action to make these determinations because we believe this action is not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive comments, no further activity is planned.

For all the reasons explained in the parallel direct final notice, we propose to determine that the Rillito moderate PM<sub>10</sub> nonattainment area in Arizona attained the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>) by the applicable attainment date. A determination of attainment is not a redesignation to

attainment under CAA section 107(d)(3) because we have not yet approved a maintenance plan as required under section 175A of the CAA or determined that the area has met the other CAA requirements for redesignation.<sup>1</sup>

We further propose to determine that, because the Rillito area has continued to attain the PM<sub>10</sub> NAAQS, certain attainment demonstration requirements, along with other related requirements of the CAA, are not applicable to the Rillito area. Lastly, EPA is proposing to correct an error in a previous rulemaking that involved the classification of PM<sub>10</sub> nonattainment areas within the State of Arizona.

For further information on this proposal and the rationale underlying our proposed action, please see the direct final action.

Dated: July 26, 2006.

**Wayne Nastri,**

*Regional Administrator, Region 9.*

[FR Doc. E6-12762 Filed 8-7-06; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF LABOR

### Veterans' Employment and Training Service

#### 41 CFR Part 61-300

RIN 1293-AA12

#### Annual Report From Federal Contractors

**AGENCY:** Veterans' Employment and Training Service (VETS), Labor.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would create a new part, 41 CFR part 61-300, to implement certain provisions of the Jobs for Veterans Act ("JVA") (Pub. L. 107-288) which amended the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended ("VEVRAA"). Prior to amendment by the JVA,

<sup>1</sup> Note, however, that on January 17, 2006, EPA published proposed revisions to the NAAQS for particulate matter. See <http://www.epa.gov/fedrgstr/EPA-AIR/2006/January/Day-17/>. The proposed revisions address two categories of particulate matter: fine particles which are particles 2.5 micrometers in diameter and smaller; and "inhalable coarse" particles which are particles between 2.5 and 10 micrometers (PM<sub>10-2.5</sub>). Upon finalization of a primary 24-hour standard for PM<sub>10-2.5</sub>, EPA proposes to revoke the current 24-hour PM<sub>10</sub> standard in all areas of the country except in areas where there is at least one monitor located in an urbanized area (as defined by the U.S. Bureau of the Census) with a minimum population of 100,000 that violates the current 24-hour PM<sub>10</sub> standard based on the most recent three years of data. In addition, EPA proposes to revoke the current annual PM<sub>10</sub> standard upon finalization of a primary 24-hour standard for PM<sub>10-2.5</sub>.

VEVRAA and its implementing regulations required all contractors and subcontractors with Federal contracts in excess of \$25,000 to use the Federal Contractor Veterans' Employment Report VETS-100 form ("VETS-100 Report") to report their efforts toward hiring veterans in four specified categories. The JVA raised the VETS-100 reporting threshold from \$25,000 to \$100,000, and modified the categories of veterans to be tracked in the reports, for contracts entered on or after December 1, 2003.

Prior to amendment by the JVA, VEVRAA required all covered contractors to report on incumbents who fall within the following veteran status categories: Veterans of the Vietnam era; special disabled veterans; other protected veterans; and recently separated veterans. The Jobs for Veterans Act changed the reporting categories to: disabled veterans; other protected veterans; Armed Forces service medal veterans; and recently separated veterans. Additionally, the JVA requires Federal contractors and subcontractors to report the total number of all current employees in each job category and at each hiring location. The JVA made these changes for all contracts entered into on or after December 1, 2003. The Veterans' Employment and Training Service ("VETS") proposes that the reporting requirements for this rule become effective for the calendar year 2007, which is reported on September 30, 2008. This rule would implement those changes, along with other changes to the VETS-100 Report that either are required by the JVA or will improve the administration of the related veterans' programs.

**DATES:** To be assured of consideration, comments must be received on or before October 10, 2006.

**ADDRESSES:** You may submit comments, identified by RIN number 1293-AA12, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- E-mail: [FCP-NPRM-04-VETS@dol.gov](mailto:FCP-NPRM-04-VETS@dol.gov). Include "RIN number 1293-AA12" in the subject line of the message.
- Fax: (202) 693-4755 (for comments of 10 pages or less).
- Mail: Robert Wilson, Chief, Division of Investigation and Compliance, VETS, U.S. Department of Labor, Room S-1316, 200 Constitution Avenue, NW., Washington, DC 20210.

All submissions received must include the agency name and Regulatory Information Number (RIN) for this