

impact on a substantial number of small entities, as defined in the RFA.

Paperwork Reduction Act

OTS has determined that this extension does not involve a change to collections of information previously approved under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

Unfunded Mandates Act of 1995

For the reasons stated in the interim final rule,<sup>4</sup> OTS has determined that this extension will not result in expenditures by state, local, and tribal governments, in the aggregate, or by the private sector, of more than \$100 million in any one year.

Executive Order 12866

OTS has determined that this extension is not a significant regulatory action under Executive Order 12866.

Plain Language

Section 722 of the Gramm-Leach-Bliley Act (12 U.S.C. 4809) requires the Agencies to use "plain language" in all final rules published after January 1, 2000. OTS believes that the final rule containing the extension is presented in a clear and straightforward manner.

List of Subjects in 12 CFR Part 585

Administrative practice and procedure, Holding companies, Reporting and recordkeeping requirements, Savings associations.

Authority and Issuance

For the reasons in the preamble, OTS is amending part 585 of chapter V of title 12 of the Code of Federal Regulations as set forth below:

PART 585—PROHIBITED SERVICE AT SAVINGS AND LOAN HOLDING COMPANIES

1. The authority citation for 12 CFR part 585 continues to read as follows:

Authority: 12 U.S.C. 1462, 1462a, 1463, 1464, 1467a, and 1829(e).

2. In § 585.100, revise paragraph (b)(2) introductory text to read as follows:

§ 585.100 Who is exempt from the prohibition under this part?

\* \* \* \* \*

(b) \* \* \*

(2) This exemption expires on March 31, 2009, unless the savings and loan holding company or the person files an application seeking a case-by-case exemption for the person under § 585.110 by that date. If the savings and loan holding company or the person

files such an application, the temporary exemption expires on:

\* \* \* \* \*

Dated: October 29, 2008.

By the Office of Thrift Supervision.

John M. Reich,

Director.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 740, 772, and 774

[Docket No. 080215206-81243-01]

RIN 0694 AE29

Wassenaar Arrangement Plenary Agreements Implementation: December 2007 Categories 1, 2, 3, 5 Parts I and II, 6, 7, and 9 of the Commerce Control List, Definitions; December 2006 Solar Cells

Correction

In rule document E8-23278 beginning on page 60910 in the issue of October 14, 2008, make the following corrections:

1. On page 60911, in the second column, under the heading Revisions to the Commerce Control List, in the 13th and 14th lines, "1A006 and 1A007" should read "1A006, 1A007, and 3C006".

2. On the same page, in the same column, under the same heading, in the 18th line, "3C005, 3C006, 3D001" should read "3C005, 3D001".

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

RIN 2900-AM65

Disclosure of Information to Organ, Tissue and Eye Procurement Organizations

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document adopts, with changes, a Department of Veterans Affairs (VA) interim final rule that implemented provisions of the Veterans Benefits, Health Care, and Information Technology Act of 2006 concerning disclosure of information to organ, tissue and eye procurement

organizations. The regulation 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, eye banks, and tissue banks to determine whether the patients are suitable potential donors. This document modifies the interim final rule to clarify the definition of "near death" and to correct a grammatical error in the definition of "procurement organization." This document also clarifies that eye bank and tissue bank registration with FDA must have an active status.

DATES: Effective Date: November 3, 2008.

FOR FURTHER INFORMATION CONTACT: Stephania Putt, Veterans Health Administration (VHA) Privacy Officer, Office of Information (19F2), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Ave., NW., Washington, DC 20420, (704) 245-2492.

SUPPLEMENTARY INFORMATION: On August 23, 2007, the Department of Veterans Affairs (VA) published an interim final rule in the Federal Register (72 FR 48239) to implement section 204 of Public Law 109-461. We provided a 60-day comment period which ended on October 22, 2007. We received comments from three organizations, the American Association of Tissue Banks (AATB), the Association of Organ Procurement Organizations (AOPO), and the Eye Bank Association of America (EBAA).

AATB and EBAA commented on their support of the provisions in the Interim Final Rule in general. The support of the AATB and EBAA is welcomed.

EBAA commented on the title of the Interim Final Rule and suggested a title of "Disclosure of Information to Organ, Tissue and Eye Procurement Organizations" to provide clarification. The title of the Interim Final Rule is just a title of the regulatory packet for tracking and publication purposes; it is not the title of the actual regulations. We are amending the title of the Final Rule to provide a clear understanding of the organizations discussed in this regulation.

AOPO commented that the definition of "near death" used in the regulations was vague and recommended the use of clinical triggers in clearly defining near or imminent death. We are amending the definition of "near death" to include the use of defined clinical triggers by the health care provider when

<sup>4</sup> 72 FR at 25954.