

By direction of the Commission.

Donald S. Clark,

Secretary.

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DEPARTMENT OF DEFENSE

Defense Contract Audit Agency

32 CFR Part 317

Privacy Act; Implementation

AGENCY: Defense Contract Audit Agency.

ACTION: Proposed rule.

SUMMARY: The Defense Contract Audit Agency (DCAA) is proposing to update the DCAA Privacy Act Program Rules, 32 CFR, Part 317, by deleting references to a cancelled publication and by adding guidance concerning the blanket exemption for classified material.

DATES: Comments must be received on or before January 3, 2006 to be considered by this agency.

ADDRESSES: Send comments to Senior Advisor, Defense Contract Audit Agency, Information and Privacy, CM, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6201.

FOR FURTHER INFORMATION CONTACT: Ms. Debbie Teer at (703) 767-1002.

SUPPLEMENTARY INFORMATION:

Executive Order 12866, "Regulatory Planning and Review"

It has been determined that Privacy Act rules for the Department of Defense are not significant rules. The rules do not (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy; a sector of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order.

Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. Chapter 6)

It has been determined that Privacy Act rules for the Department of Defense do not have significant economic impact on a substantial number of small entities

because they are concerned only with the administration of Privacy Act systems of records within the Department of Defense.

Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 35)

It has been determined that Privacy Act rules for the Department of Defense impose no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

Section 202, Public Law 104-4, "Unfunded Mandates Reform Act"

It has been determined that Privacy Act rulemaking for the Department of Defense does not involve a Federal mandate that may result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more and that such rulemaking will not significantly or uniquely affect small governments.

Executive Order 13132, "Federalism"

It has been determined that Privacy Act rules for the Department of Defense do not have federalism implications. The rules do not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.

List of Subjects in 32 CFR Part 317

Privacy.

Accordingly, 32 CFR part 317 is proposed to be amended as follows:

PART 317—DCAA PRIVACY ACT PROGRAM

1. The authority citation for 32 CFR part 317 continues to read as follows:

Authority: Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a)

§ 317.4 [Amended]

2. Amend § 317.4 as follows:

- a. Remove paragraph (c)(5).
- b. Redesignate paragraphs (c)(6), (c)(7), and (c)(8) as (c)(5), (c)(6), and (c)(7).
3. Amend part 317 by adding § 317.7 as follows:

§ 317.7 Exemptions.

All systems of records maintained by DCAA will be exempt from the requirements of 5 U.S.C. 552a(d) and (e)(4)(H) pursuant to 5 U.S.C. 552a(k)(1) to the extent that the system contains any information properly classified under Executive Order 12958, that is

required by the Executive Order to be kept secret in the interest of national defense or foreign policy. This exemption, which may be applicable to parts of all systems of records, is necessary since certain record systems, not otherwise specifically designated for exemptions herein, may contain isolated items of information which have been properly classified.

Dated: October 27, 2005.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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POSTAL SERVICE

39 CFR Part 111

Bundling Flat-Size and Irregular Parcel Mail—Bundle Integrity

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: The Postal Service proposes that mailers use two bands to secure all bundles of presorted rate flat-size mail and irregular parcels that are not shrinkwrapped. This proposal would remove the option to secure bundles up to 1 inch thick with only one band.

DATES: We must receive your comments on or before December 2, 2005.

ADDRESSES: Mail or deliver comments to the Manager, Mailing Standards, U.S. Postal Service, 475 L'Enfant Plaza SW., Rm. 3436, Washington, DC 20260-3436. You may inspect and photocopy all written comments between 9 a.m. and 4 p.m., Monday through Friday, at USPS Headquarters Library, 11th Floor North, 475 L'Enfant Plaza SW., Washington, DC 20260.

FOR FURTHER INFORMATION CONTACT: Bill Chatfield at 202-268-7278.

SUPPLEMENTARY INFORMATION: We are proposing a revision to *Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)* that would require mailers to use at least two bands—one around the length and one around the girth—when only banding is used to secure bundles of flat-size and irregular parcel mailpieces.

"Bundle integrity"—the ability of bundles to remain intact—is crucial for our new, high-speed Automated Package Processing System (APPS). Bundles with only one band tend to curl up and allow mailpieces to escape the bundle. When these or other bundles break open, we lose the value of mailers' presort, and we have to handle individual pieces manually. Manual

handling of mailpieces from broken or loose bundles results in delayed delivery and increases our processing costs.

Although we are exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. of 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), we invite public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service, Domestic Mail Manual* (DMM), incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

PART 111—[AMENDED]

1. The authority citation for 39 CFR Part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Amend the following sections of Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM) as explained below.

300 Discount Flats

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330 First-Class Mail

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335 Mail Preparation

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2.0 Bundles

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2.4 Securing Bundles

[Revise introductory text and items a, b, and c as follows; delete items d through f. Make these same changes to 345.2.4 (for Standard Mail flats), 365.2.4 (for Bound Printed Matter flats), 375.2.4 (for Media Mail flats), 385.2.4 (for Library Mail flats), 435.2.5 (for First-Class Mail parcels), 465.2.4 (for Bound Printed Matter parcels), 475.2.4 (for Media Mail parcels), 485.2.4 (for Library Mail parcels), 705.8.5.10 (for bundles on pallets), and 707.19.4 (for Periodicals).]

Mailers must meet the following standards when preparing and securing bundles.

a. Secure bundles with banding, shrinkwrap, or shrinkwrap supplemented with one or more bands. Banding includes plastic bands, rubber bands, twine, string, and similar material.

b. Mailers using only banding to secure bundles must meet the following conditions.

1. Use at least one band to encircle the length of the bundle and use at least one band to encircle the girth of the bundle.

2. Use tension sufficient to tighten and depress the edges of the bundle so pieces will not slip out of the banding during transit and processing.

3. Do not place any bands closer than 1 inch from any bundle edge.

4. When using twine or string to band bundles, secure the knot(s) so the banding does not come loose during transit and processing.

5. Do not use wire or metal banding.

6. Do not use any loose banding.

c. Bundles must withstand normal transit and handling without breaking and without causing injury to postal employees or damage to Postal Service equipment.

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340 Standard Mail

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345 Mail Preparation

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2.0 Bundles

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2.5 Preparing Bundles in Sacks

(Revise introductory text and item b as follows. Make these same changes in 707.19.8 (for Periodicals).)

Mailers must meet the following standards when preparing and securing bundles placed in sacks.

* * * * *

b. Secure bundles with at least two bands (plastic bands, rubber bands, twine, or string), one around the length and one around the girth. As options, secure bundles entirely with shrinkwrap, or with shrinkwrap plus one or two bands.

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400 Discount Parcels

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440 Standard Mail

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445 Mail Preparation

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2.0 Bundles

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(Switch 2.5 and 2.4. Revise new 2.4 using the text in 335.2.4 above; revise new 2.5 using the text in 345.2.5 above.)

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700 Special Standards

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705 Advanced Preparation and Special Postage Payment Systems

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8.0 Preparation for Pallets

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8.5 General Preparation

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(Revise title of 8.5.10 as follows.)

8.5.10 Securing Bundles on Pallets

(Replace text in 8.5.10 with text from new 335.2.4.)

(Delete 8.5.11; renumber 8.5.12 and 8.5.13 as new 8.5.11 and 8.5.12.)

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We will publish an appropriate amendment to 39 CFR 111.3 if the proposal is adopted.

Neva R. Watson,

Attorney, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[R08–OAR–2005–UT–0006; FRL–7992–7]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Provo Attainment Demonstration of the Carbon Monoxide Standard, Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Utah. On April 1, 2004, the Governor of Utah submitted an attainment demonstration and plan for the Provo metropolitan area (hereafter, Provo area) for the carbon monoxide (CO) National Ambient Air Quality Standard (NAAQS) to replace the demonstration and plan that were submitted by Governor Leavitt on July 11, 1994. The Governor’s submittal also contained a request to redesignate the Provo area to attainment for the CO NAAQS and a maintenance plan which includes transportation conformity motor vehicle emission budgets (MVEB) for 2014 and 2015. The Governor also submitted revisions to: Utah’s Rule R307–110–12, “Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide,” which incorporates the attainment