

required that grantees provide written certification stating that all Ryan White-funded core medical services are available in the service area and that no ADAP waiting list exists. Given the need for immediate implementation, the guidance offered an expeditious process by which grantees could apply for a waiver for FY 2007. HRSA now provides notice of its proposal for a more permanent process by which such waivers will be granted beginning in FY 2008 and seeks public comment on its proposal.

Beginning in FY 2008, HRSA will utilize new standards for granting waivers of the core medical services requirement for Ryan White HIV/AIDS Programs. These standards meet the intent of the Ryan White HIV/AIDS Treatment Modernization Act of 2006 to increase access to core medical services, including antiretroviral drugs, for persons with HIV/AIDS and to ensure that grantees receiving waivers demonstrate the availability of such services for individuals with HIV/AIDS identified and eligible under Title XXVI of the PHS Act. The purposes of this notice are: (1) To establish requirements for core medical services waiver eligibility for grantees under Parts A, B, and C of Title XXVI of the PHS Act; and (2) to establish a process for waiver request submission, review and notification. The core medical services waiver uniform standard and waiver request process proposed in this notice will apply to Ryan White HIV/AIDS Program grant awards under Parts A, B, and C of Title XXVI of the PHS Act.

#### **Proposed Uniform Standard for Waiver of Core Medical Services Requirements for Grantees Under Parts A, B, and C**

Grantees must submit a waiver request with the annual grant application containing the following certifications and documentation which will be utilized by HRSA in determining whether to grant a waiver. The waiver must be signed by the chief elected official or the fiscally responsible agent, and include:

1. Certification from the Part B state grantee that there are no current or anticipated ADAP services waiting lists in the state for the year in which such waiver request is made. This certification must also specify that there are no waiting lists for a particular core class of antiretroviral therapeutics established by the Secretary, e.g., fusion inhibitors;

2. Certification that all core medical services listed in the statute (Part A section 2604(c)(3), Part B section 2612(b)(3), and Part C section 2651(c)(3)), regardless of whether such

services are funded by the Ryan White HIV/AIDS Program, are available within 30 days for all identified and eligible individuals with HIV/AIDS in the service area;

3. Evidence that a public process was conducted to seek public input on availability of core medical services;

4. Evidence that receipt of the core medical services waiver is consistent with the grantee's Ryan White HIV/AIDS Program application (e.g., "Description of Priority Setting and Resource Allocation Processes" and "Unmet Need Estimate and Assessment" sections of the application for Parts A, "Needs Assessment and Unmet Need" section of the application under Part B, and "Description of the Local HIV Service Delivery System," and "Current and Projected Sources of Funding" sections of the application under Part C).

#### **Types of Documentation and Evidence**

Grantees must provide evidence that all of the core medical services listed in the statute, regardless of whether such services are funded by the Ryan White HIV/AIDS Program, are available to all individuals with HIV/AIDS identified and eligible under Title XXVI of the PHS Act in the service area within 30 days. Such documentation may include one or more of the following types of information for the service area for the prior fiscal year: HIV/AIDS care and treatment services inventories including funding sources, HIV/AIDS met and unmet need assessments, HIV/AIDS client/patient service utilization data, planning council core medical services priority setting and funding allocations documents, and letters from Medicaid and other state and local HIV/AIDS entitlement and benefits programs including private insurers. Information provided by grantees must show specific verifiable evidence that all listed core medical services are available and are being utilized to meet the needs of persons with HIV/AIDS who are identified and eligible for Ryan White HIV/AIDS Program services without further infusion of Ryan White HIV/AIDS Program dollars. Such documentation must also describe which specific core medical services are available, from whom, and through what funding source.

Grantees must have evidence of a public process for the dissemination of information and must seek input from affected communities related to the availability of core medical services and the decision to request a waiver. This public process may be the same one utilized for obtaining input on community needs as part of the

comprehensive planning process. In addition, grantees must describe in narrative form the following:

1. Local/state underlying issues that influenced the grantee's decision to request a waiver and how the submitted documentation supports the assertion that such services are available and accessible to all individuals with HIV/AIDS identified and eligible under Title XXVI in the service area.

2. How the approval of a waiver will impact the grantee's ability to address unmet need for HIV/AIDS services and perform outreach to HIV-positive individuals not currently in care.

3. The consistency of the waiver request with the grantee's grant application, including proposed service priorities and funding allocations.

#### **Waiver Review and Notification Process**

As indicated, grantees must submit a waiver request with their annual grant application. No waiver requests will be accepted at any other time (other than with the annual grant application). Application guidance documents will be amended to include this requirement. HRSA/HAB will review requests for waiver of the core medical services requirement and will notify grantees of waiver approval no later than the date of issuance of Notice of Grant Award. Core medical services waivers will be effective for a one-year period consistent with the grant award period.

#### **The Paperwork Reduction Act of 1995**

This activity is subject to Office of Management and Budget review and approval under the Paperwork Reduction Act of 1995.

Dated: November 16, 2007.

**Elizabeth M. Duke,**  
*Administrator.*

[FR Doc. E7-22982 Filed 11-26-07; 8:45 am]

BILLING CODE 4165-15-P

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

[Docket No. USCG-2007-29114]

#### **Delaware River and Bay Oil Spill Advisory Committee; Vacancies**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of committee establishment and request for applications.

**SUMMARY:** The Secretary of Homeland Security is establishing the Delaware River and Bay Oil Spill Advisory

Committee (DRBOSAC) under authority of the Coast Guard and Maritime Transportation Act of 2006, Public Law 109–241. Individuals interested in serving on this committee are invited to apply for membership.

**DATES:** Application forms for membership should reach the Coast Guard on or before January 28, 2008.

**ADDRESSES:** You may request a copy of the charter for the Delaware River and Bay Oil Spill Advisory Committee or a form to apply for membership by writing to Captain David L. Scott, Designated Federal Officer (DFO) of the Delaware River and Bay Oil Spill Advisory Committee, USCG Sector Delaware Bay, 1 Washington Avenue, Philadelphia, PA 19147. Send your application in written form to the above street address. A copy of this notice, the Committee Charter, and the application form are available in our online docket, USCG–2007–29114, at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gerald Conrad, Assistant to the DFO of the Delaware River and Bay Oil Spill Advisory Committee, at 215–271–4824.

**SUPPLEMENTARY INFORMATION:**

*Establishment of the Delaware River and Bay Oil Spill Advisory Committee.* The Federal Advisory Committee Act (FACA), 5 U.S.C. App. (Pub. L. 92–463), governs the establishment of committees by Federal agencies. Section 607 of the Coast Guard and Maritime Transportation Act of 2006 (Pub. L. 109–241) requires the Secretary of the Department in which the Coast Guard is operating to establish a Delaware River and Bay Oil Spill Advisory Committee. The Commandant of the Coast Guard will select the people to be on the advisory committee.

The DRBOSAC shall provide advice and recommendations and a ranking of priorities for measures to improve the prevention of, and response to, future oil spills in the Delaware River and Delaware Bay to the Commandant of the Coast Guard, the Governors of the States of New Jersey, Pennsylvania, and Delaware, the Committee on Commerce, Science and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives.

FACA requires advisory committees to meet at least yearly. However, we anticipate that this Committee will meet more frequently. Subcommittees, if established, may also meet between meetings of the parent committee. Most meetings will be held at Coast Guard Sector Delaware Bay in Philadelphia, Pennsylvania, but some meetings may be held at nearby facilities.

**Request for Applications**

The Committee will be composed of 27 members who are appointed by the Commandant of the Coast Guard and who have a particular expertise, knowledge, and experience regarding the transportation, equipment, and techniques that are used to ship cargo and to navigate vessels in the Delaware River and Delaware Bay, as follows:

(A) Three members who are employed by port authorities that oversee operations on the Delaware River or have been selected to represent these port authorities, of whom—

(i) One member shall be an employee or representative of the Port of Wilmington;

(ii) One member shall be an employee or representative of the South Jersey Port Corporation;

(iii) One member shall be an employee or representative of the Philadelphia Regional Port Authority.

(B) Two members who represent organizations that operate tugs or barges that utilize the port facilities on the Delaware River and Delaware Bay.

(C) Two members who represent shipping companies that transport cargo by vessel from ports on the Delaware River and Delaware Bay, of whom at least one may not be a representative of a shipping company that transports oil or petroleum products.

(D) Two members who represent operators of oil refineries adjacent to the Delaware River and Delaware Bay.

(E) Two members who represent State-licensed pilots who work on the Delaware River and Delaware Bay.

(F) One member who represents labor organizations whose members load and unload cargo at ports on the Delaware River and Delaware Bay.

(G) One member who represents local commercial fishing interests or an aquaculture organization that depends on fisheries and resources of the Delaware River or Delaware Bay.

(H) Three members who represent environmental organizations active with respect to the Delaware River and Delaware Bay, including a watershed advocacy group and a wildlife conservation advocacy group.

(I) One member who represents an organization affiliated with recreational fishing interests in the vicinity of the Delaware River and Delaware Bay.

(J) Two members who are scientists or researchers associated with an academic institution, and who have professional credentials in fields of research relevant to oil spill safety, oil spill response, or wildlife and ecological recovery.

(K) Two members who are municipal or county officials from Delaware.

(L) Two members who are municipal or county officials from New Jersey.

(M) Two members who are municipal or county officials from Pennsylvania.

(N) One member who represents an oil spill response organization located on the lower Delaware River and Delaware Bay.

(O) One member who represents the general public.

The DRBOSAC may also consist of an appropriate number (as determined by the Commandant of the Coast Guard) of non-voting members who represent Federal agencies and the agencies of the states of New Jersey, Pennsylvania, and Delaware with an interest in oil spill prevention in the Delaware River and Delaware Bay.

The members outlined in (A) can be either Special Government Employees (SGEs) or representatives. Members who are merely employed by port authorities shall be designated as SGEs and members that represent these port authorities shall be designated as representative members.

The members in paragraphs (B), (C), (D), (E), (F), (G), (H), (I), (K), (L), (M) and (N) are representative members and not Special Government Employees as defined in section 202(a) of Title 18, United States Code.

The members in paragraphs (J), and (O) serve as Special Government Employees as defined in section 202(a) of Title 18, United States Code.

The terms of office for members initially appointed to the committee shall expire 18 months from the date of their appointment. Applicants may be required to pass an appropriate security background check prior to appointment to the committee.

Applicants should submit their application on Form DOT F 1120.1 to Captain David L. Scott at the address given in the **ADDRESSES** section at the beginning of this Notice. The application form is available from Mr. Gerald Conrad by calling him at 215–271–4824, or by going to the docket for this notice [USCG–2007–29114] at <http://www.regulations.gov>.

While attending meetings or otherwise engaged in Committee business, members will be reimbursed for travel expenses as permitted under applicable Federal travel regulations. However, members will not receive any salary or other compensation for their service on the Committee.

In support of the policy of the U.S.C.G. on gender and ethnic diversity, we encourage qualified women and members of minority groups to apply.

If you are selected as a Special Government Employee (SGE), including a member of the general public, we will

require you to complete a Confidential Financial Disclosure Report (OGE Form 450). We may not release the report or the information in it to the public, except under an order issued by a Federal court or as otherwise provided under the Privacy Act (5 U.S.C. 552a).

Dated: October 13, 2007.

**David L. Scott,**

*Captain, U.S. Coast Guard, Commanding Officer, Sector Delaware Bay.*

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**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

[CBP Dec. 07-87]

#### Re-Approval of Marine Technical Surveyors, Inc., as a Commercial Gauger

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of re-approval of Marine Technical Surveyors, Inc., of Donaldsonville, LA, as a commercial gauger.

**SUMMARY:** Notice is hereby given that, pursuant to 19 CFR 151.13, Marine Technical Surveyors, Inc., 2382 Highway 1 South, Donaldsonville, Louisiana 70346, has been re-approved to gauge petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. Anyone wishing to employ this entity for gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger services this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [http://www.cbp.gov/xp/cgov/import/operations\\_support/labs\\_scientific\\_svcs/org\\_and\\_operations.xml](http://www.cbp.gov/xp/cgov/import/operations_support/labs_scientific_svcs/org_and_operations.xml).

**DATES:** The re-approval of Marine Technical Surveyors, Inc., as a commercial gauger became effective on January 10, 2006. The next triennial inspection date will be scheduled for January 2009.

**FOR FURTHER INFORMATION CONTACT:** Eugene J. Bondoc, Ph.D, or Randall Breaux, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue,

NW., Suite 1500N, Washington, DC 20229, 202-344-1060.

Dated: November 19, 2007.

**Ira S. Reese,**

*Executive Director, Laboratories and Scientific Services.*

[FR Doc. E7-23086 Filed 11-26-07; 8:45 am]

**BILLING CODE 9111-14-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

[CBP Dec. 07-88]

#### Re-Approval of Intertek USA, Inc., as a Commercial Gauger

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of re-approval of Intertek USA, Inc., of Valdez, AK, as a commercial gauger.

**SUMMARY:** Notice is hereby given that, pursuant to 19 CFR 151.13, Intertek USA, Inc., 354 Fairbanks Street, Valdez, Alaska 99686, has been re-approved to gauge petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. Anyone wishing to employ this entity for gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger services this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [http://www.cbp.gov/xp/cgov/import/operations\\_support/labs\\_scientific\\_svcs/org\\_and\\_operations.xml](http://www.cbp.gov/xp/cgov/import/operations_support/labs_scientific_svcs/org_and_operations.xml).

**DATES:** The re-approval of Intertek USA, Inc., as a commercial gauger became effective on September 6, 2006. The next triennial inspection date will be scheduled for September 2009.

**FOR FURTHER INFORMATION CONTACT:** Eugene J. Bondoc, Ph.D, or Randall Breaux, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW., Suite 1500N, Washington, DC 20229, 202-344-1060.

Dated: November 19, 2007.

**Ira S. Reese,**

*Executive Director, Laboratories and Scientific Services.*

[FR Doc. E7-23087 Filed 11-26-07; 8:45 am]

**BILLING CODE 9111-14-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

[CBP Dec. 07-89]

#### Re-Approval of Intertek USA, Inc., as a Commercial Gauger

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of re-approval of Intertek USA, Inc., of Kapolei, Hawaii, as a commercial gauger.

**SUMMARY:** Notice is hereby given that, pursuant to 19 CFR 151.13, Intertek USA, Inc., 91-110 Hanua Street, #204, Kapolei, Hawaii 96707, has been re-approved to gauge petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. Anyone wishing to employ this entity for gauger services should request and receive written assurances from the entity that it is approved by the U. S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger services this entity is approved to perform may be directed to the U. S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [http://www.cbp.gov/xp/cgov/import/operations\\_support/labs\\_scientific\\_svcs/org\\_and\\_operations.xml](http://www.cbp.gov/xp/cgov/import/operations_support/labs_scientific_svcs/org_and_operations.xml).

**DATES:** The re-approval of Intertek USA, Inc., as a commercial gauger became effective on August 22, 2006. The next triennial inspection date will be scheduled for August 2009.

**FOR FURTHER INFORMATION CONTACT:** Eugene J. Bondoc, Ph.D, or Randall Breaux, Laboratories and Scientific Services, U. S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW., Suite 1500N, Washington, DC 20229, 202-344-1060.

Dated: November 19, 2007.

**Ira S. Reese,**

*Executive Director, Laboratories and Scientific Services.*

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