

fulfill this requirement. Any response submitted through the Office for forwarding to the International Bureau should be submitted as soon as possible, but at least one month before the end of the response period in the International Bureau's notice. The Office will not process any response received in the Office after the International Bureau's response deadline.

65. Revise § 7.25(a) to read as follows:

**§ 7.25 Sections of part 2 applicable to extension of protection.**

(a) Except for §§ 2.22–2.23, 2.130–2.131, 2.160–2.166, 2.168, 2.173, and 2.181–2.186, all sections in part 2 and all sections in part 10 of this chapter shall apply to an extension of protection of an international registration to the United States, including sections related to proceedings before the Trademark Trial and Appeal Board, unless otherwise stated.

\* \* \* \* \*

66. Revise § 7.39(b) to read as follows:

**§ 7.39 Acknowledgment of receipt of affidavit or declaration of use in commerce or excusable nonuse.**

\* \* \* \* \*

(b) A response to a refusal under paragraph (a) of this section must be filed within six months of the date of issuance of the Office action, or before the end of the filing period set forth in section 71(a) of the Act, whichever is later. The Office will cancel the extension of protection if no response is filed within this time period.

67. Revise § 7.40(b) to read as follows:

**§ 7.40 Petition to Director to review refusal.**

\* \* \* \* \*

(b) If the examiner maintains the refusal of the affidavit or declaration, the holder may file a petition to the Director to review the examiner's action. The petition must be filed within six months of the date of issuance of the action maintaining the refusal, or the Office will cancel the registration.

\* \* \* \* \*

Dated: June 4, 2008.

**Jon W. Dudas,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. E8–12909 Filed 6–11–08; 8:45 am]

BILLING CODE 3510–16–P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA–B–7784]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before September 10, 2008.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA–B–7784, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:**

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–3151 or (e-mail) [bill.blanton@dhs.gov](mailto:bill.blanton@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make

determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*Administrative Procedure Act Statement.* This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601–612, a regulatory flexibility analysis is not required.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed rule meets the applicable standards of Executive Order 12988.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR,

1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground	
				Existing	Modified
<b>Unincorporated Areas of Morrow County, Ohio</b>					
Ohio .....	Unincorporated Areas of Morrow County.	Whetstone Creek .....	1290 feet downstream of Cardington Road.	None	+1050
			1570 feet downstream of U.S. Route 42	None	+1068

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Unincorporated Areas of Morrow County**

Maps are available for inspection at 80 North Walnut Street, Suite C, Mt. Gilead, OH 43338.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
<b>Cortland County, New York, and Incorporated Areas</b>				
Blue Creek .....	Confluence with Dry Creek .....	+1183	+1185	Town of Cortlandville.
	Approximately 215 feet upstream of Kinney Gulf Road	None	+1204	
Dry Creek .....	Approximately 720 feet downstream of North Main Street.	+1115	+1116	City of Cortland, Town of Cortlandville.
	Approximately 330 feet upstream of Kinney Gulf Road	None	+1211	
Gridley Creek .....	Confluence with Tioughnioga River .....	None	+1044	Town of Virgil.
	Approximately 1.8 miles upstream of Page Green Road.	None	+1462	
Gridley Creek Tributary 9 .....	Confluence with Gridley Creek .....	None	+1354	Town of Virgil.
	Approximately 1,915 feet upstream of State Route 392.	None	+1396	
Gridley Creek Tributary 9-1 .....	Confluence with Hope Lake .....	None	+1429	Town of Virgil.
	Approximately .4 mile upstream of Clute Road .....	None	+1564	
Hope Lake .....	Entire shoreline within community .....	None	+1429	Town of Virgil.
Mosquito Creek .....	Approximately 50 feet upstream of West Center Street.	+1153	+1150	Town of Cortlandville, Village of Mcgraw.
	Approximately .78 mile upstream of Heath Road .....	+1517	+1509	
Otselic River .....	Approximately 991 feet downstream of Route 23 .....	None	+1034	Town of Cincinnatus.
	Approximately 1.6 miles upstream of Telephone Road	None	+1053	
Otter Creek .....	Approximately 130 feet upstream of North Main Street	+1119	+1121	City of Cortland, Town of Cortlandville.
	Approximately 70 feet upstream of State Route 13 .....	None	+1186	
Otter Creek Tributary 3 .....	Confluence with Otter Creek .....	None	+1170	Town of Cortlandville.
	Approximately 1,000 feet upstream of Gutches Lumber Service Road.	None	+1170	
Skaneateles Lake .....	Entire shoreline within community .....	None	+867	Town of Scott.
Song Lake .....	Entire shoreline within community .....	None	+1195	Town of Preble.
Tioughnioga River Reach 2 ..	Approximately .58 mile downstream of Main Street .....	None	+1014	Town of Marathon, Village of Marathon.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Trout Brook .....	Approximately .85 mile upstream of Main Street ..... At Town of Solon Corporate Limits, approximately 1.280 miles upstream of Hollow Road.	None None	+1023 +1204	Town of Solon.
Tully Lake .....	Approximately 1.288 miles upstream of Hollow Road Entire shoreline within community .....	None None	+1204 +1195	Town of Preble.

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Cortland**

Maps are available for inspection at Cortland City Hall, 25 Court Street, Cortland, NY.

**Town of Cincinnatus**

Maps are available for inspection at Cincinnatus Town Hall, 2770 Lower Cincinnatus Road, Cincinnatus, NY.

**Town of Cortlandville**

Maps are available for inspection at Cortlandville Town Hall, Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, NY.

**Town of Marathon**

Maps are available for inspection at Town of Marathon Highway Department, 16 Brink Street, Marathon, NY.

**Town of Preble**

Maps are available for inspection at Preble Town Hall, 1968 Preble Road, Preble, NY.

**Town of Scott**

Maps are available for inspection at Scott Town Hall, 6689 NYS Route 41, Homer, NY.

**Town of Solon**

Maps are available for inspection at Solon Town Hall, 4012 North Tower Road, East Freetown, NY.

**Town of Virgil**

Maps are available for inspection at Virgil Town Hall, 1176 Church Street, Cortland, NY.

**Village of Marathon**

Maps are available for inspection at Marathon Village Hall, 18 Tannery Street, Marathon, NY.

**Village of McGraw**

Maps are available for inspection at McGraw Village Hall, 1 Cemetery Street, McGraw, NY.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: May 28, 2008.

**David I. Maurstad,**

*Federal Insurance Administrator of the National Flood Insurance Program, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E8-13208 Filed 6-11-08; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Parts 2, 12, 22, and 52**

[FAR Case 2007-013; Docket 2008-0001; Sequence 1]

RIN 9000-AK91

**Federal Acquisition Regulation; FAR Case 2007-013, Employment Eligibility Verification**

**AGENCIES:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are proposing to amend the Federal Acquisition Regulation (FAR) to

require certain contractors and subcontractors to use the U.S. Citizenship and Immigration Services' (USCIS) E-Verify system as the means of verifying that certain of their employees are eligible to work in the United States.

**DATES:** Interested parties should submit written comments to the FAR Secretariat on or before August 11, 2008 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by FAR case 2007-013 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting "FAR Case 2007-013" under the heading "Comment or Submission". Select the link "Send a Comment or Submission" that corresponds with FAR Case 2007-013. Follow the instructions provided to complete the "Public Comment and Submission Form". Please include your name, company name (if any), and "FAR Case 2007-013" on your attached document.