

person who processes or causes to be processed lamb or lamb products of that person's own production and markets the processed products is assessed one-half cent (\$.005) per pound on the live weight at the time of slaughter and is required to pay an additional assessment of \$.30 per head. Assessment rates may be adjusted in accordance with applicable provisions of the Act and the Order. The Order also requires persons to collect and remit assessments to the American Lamb Board (Board). Each producer, feeder, or seedstock producer is obligated to pay that portion of the assessment that is equivalent to that producer's, feeder's, or seedstock producer's proportionate share and shall transfer the assessment to the subsequent purchaser. Additionally, a person who is a market agency (*i.e.*, commission merchant, auction market, or broker in the business of receiving such lamb or lamb products for sale on commission for or on behalf of a producer, feeder, or seedstock producer) is required to collect an assessment and transfer the collected assessment on to the subsequent purchaser(s). Such persons will not be subject to the assessment and are not eligible to participate in a referendum. Any person who processes or causes to be processed lamb or lamb products of that person's own production and markets the processed products will be required to pay an additional assessment and remit the total assessment to the Board. Each first handler who buys or takes possession of lambs from a producer or feeder for slaughter is required to pay an additional assessment and remit the total assessment to the Board.

The Act requires that a referendum to ascertain approval of an Order must be conducted no later than 3 years after assessments first begin. Assessments began on July 1, 2002. A referendum of lamb producers, feeders, seedstock producers, and first handlers of lamb and lamb products was conducted from January 31, 2005, through February 28, 2005. A majority of the participants, who represented a majority of the volume of lambs, voted in favor of the continuation of the Order. The Act also requires a subsequent referendum on the Order be conducted no later than 7 years after assessments first begin. Thus, USDA is required to conduct a nationwide referendum among persons subject to the assessment by July 1, 2009. The Order will continue if a majority of those persons voting, who also represent a majority of the volume of lambs, voted in favor of continuing the program. If the continuation of the

Order is not approved by eligible persons voting in the referendum, USDA will begin the process of terminating the program.

This final rule amends Web site addresses cited in sections 1280.626 and 1280.631 that are currently outdated. This final rule also amends the physical address cited in section 1280.626, as it is also outdated. This rule is implemented in preparation for the 2009 referendum.

This rule relates to internal agency management. Therefore, this rule is exempt from the provisions of Executive Orders 12866 and 12988, and for this same reason the notice of proposed rulemaking and opportunity for comment are also not required, and this rule may be effective less than 30 days after publication in the **Federal Register**. In addition, under 5 U.S.C. 804, this rule is not subject to congressional review under the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121). Finally, this rule is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) (RFA). Therefore, this rule is exempt from the requirements of RFA.

List of Subjects in 7 CFR Part 1280

Administrative practice and procedure, Advertising, Agricultural research, Marketing agreements, Lamb and lamb products, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, Title 7, part 1280 is amended as follows:

PART 1280—LAMB PROMOTION, RESEARCH, AND INFORMATION

■ 1. The authority citation for 7 CFR part 1280 continues to read as follows:

Authority: 7 U.S.C. 7411–7425 and 7 U.S.C. 7401.

Subpart E—Procedures To Request a Referendum

■ 2. In § 1280.626, paragraph (b) the Web site <http://www.ams.usda.gov/lsg/mpb/rp-lamb.htm> is removed and a new Web site www.ams.usda.gov/lsmarketingprograms is added in its place.

■ 3. In § 1280.631, paragraph (a) is revised to read as follows:

§ 1280.631 Results of the referendum.

(a) The Administrator, FSA, shall submit to the Administrator, AMS, the reports from all State FSA offices. The Administrator, AMS, shall tabulate the results of the ballots. USDA will issue an official press release announcing the

results of referendum and publish the same results in the **Federal Register**. In addition, USDA will post the official results at the following Web site: <http://www.ams.usda.gov/LSMarketingPrograms> or such other Web site as announced by the Administrator of AMS. Subsequently, State reports and related papers shall be available for public inspection upon request during normal business hours in the Marketing Programs Branch; Livestock and Seed Program, AMS, USDA, Room 2628–S; STOP 0251; 1400 Independence Avenue, SW., Washington, DC.

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Dated: December 10, 2008.

James E. Link,

Administrator, Agricultural Marketing Service.

[FR Doc. E8–29694 Filed 12–15–08; 8:45 am]

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DEPARTMENT OF COMMERCE

Economic Development Administration

[Docket No.: 080213181–8811–01]

RIN 0610–AA64

13 CFR Parts 301, 302, 303, 305, 307, 308, 310, 314 and 315

Revisions to the EDA Regulations

AGENCY: Economic Development Administration, Department of Commerce

ACTION: Extension of public comment period on interim final rule.

SUMMARY: On October 22, 2008, the Economic Development Administration (“EDA”) published an interim final rule in the **Federal Register**. This document extends the deadline for submitting public comments on the interim final rule from December 22, 2008 until January 22, 2009. The extension of the public comment period is necessary to provide additional time for the submission of public comments and to allow for EDA’s additional consideration of matters pertaining to the effective implementation of the interim final rule.

DATES: The deadline for submitting public comments on the interim final rule is extended from 5 p.m. (EST) on December 22, 2008 until 5 p.m. (EST) on January 22, 2009.

FOR FURTHER INFORMATION CONTACT: Office of Chief Counsel, ATTN: Hina Shaikh, Economic Development Administration, Department of Commerce, Room 7005, 1401

Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4687.

SUPPLEMENTARY INFORMATION: EDA published an interim final rule (“IFR”) in the *Federal Register* (73 FR 62858) on October 22, 2008. In March 2007, the Office of the Inspector General published a report titled *Aggressive EDA Leadership and Oversight Needed to Correct Persistent Problems in the RLF Program*. In the time since the publication of this report, EDA has made significant improvements in the management and oversight of its revolving loan fund (“RLF”) program, including the issuance of written guidance that provides EDA staff with reasonable steps to help better ensure grantee compliance with RLF requirements. EDA published the interim final rule to synchronize the RLF regulations with that guidance. Additionally, EDA published the IFR to make changes to certain definitions in the Trade Adjustment Assistance for Firms Program regulations set out in 13 CFR part 315. The IFR also provided notice of other substantive and non-substantive revisions made to the EDA regulations.

This document extends the deadline for submitting public comments on the entire interim final rule from 5 p.m. (EST) on December 22, 2008 until 5 p.m. (EST) on January 22, 2009. The procedure for submitting public comments is set forth in the interim final rule and is not changed by this document. The extension of the public comment period is necessary to provide additional time for the submission of public comments and to allow for EDA’s additional consideration of matters pertaining to the effective implementation of the interim final rule.

Executive Order No. 12866

It has been determined that this final rule is not significant for purposes of Executive Order 12866.

Congressional Review Act

This document is not “major” under the Congressional Review Act (5 U.S.C. 801 *et seq.*).

Executive Order No. 13132

Executive Order 13132 requires agencies to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in Executive Order 13132 to include regulations that 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.” It has been determined that this document does not contain policies that have federalism implications.

Dated: December 10, 2008.

Otto Barry Bird,

Chief Counsel, Economic Development Administration.

[FR Doc. E8-29708 Filed 12-15-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 1 and 93

[Docket No. FAA-2004-17005; Amdt. Nos. 1-63 and 93-90]

RIN 2120-AI17

Washington, DC Metropolitan Area Special Flight Rules Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action codifies special flight rules and airspace and flight restrictions for certain aircraft operations in the Washington, DC Metropolitan Area. The FAA takes this action in the interest of national security. This action is necessary to enable the Department of Homeland Security (DHS) and the Department of Defense (DOD) to effectively execute their respective constitutional and Congressionally-mandated duties to secure, protect, and defend the United States.

DATES: Effective February 17, 2009.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this final rule, contact Ellen Crum, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; telephone (202) 267-8783.

For legal questions concerning this final rule, contact C.L. Hatrup, Office of the Chief Counsel, Federal Aviation Administration, Washington, DC 20591; telephone (202) 385-6124. Questions relating to national security determinations relevant to the enactment of this rule, or any matter falling under the purview of other U.S. government agencies, will be referred to the Department of Homeland Security, Department of Defense, Department of Justice, or other agency, as appropriate.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA Administrator has broad authority to regulate the safe and efficient use of the navigable airspace (Title 49 United States Code (U.S.C.) 40103). The Administrator is also obligated to issue air traffic rules and regulations to govern the flight of aircraft, the navigation, protection and identification of aircraft for the protection of persons and property on the ground, and for the efficient use of the navigable airspace. The Administrator is likewise authorized and obligated to issue regulations or orders assigning the use of the airspace to ensure the safety of aircraft as well as the efficient use of the airspace. Additionally, the Administrator is authorized and obligated to prescribe air traffic regulations for the flight of aircraft, to include mandating safe altitudes, for navigating, protecting, and identifying aircraft; protecting individuals and property on the ground; using the navigable airspace efficiently; and preventing collision of aircraft with other airborne objects, land or water vehicles, or other aircraft.

The Administrator is authorized and obligated to establish security provisions governing use of and access to the navigable airspace by civil aircraft, balancing the needs of national security and national defense with the mandate to allow and encourage maximum use of the navigable airspace by civil aircraft. Pursuant to 49 U.S.C. 40103(b)(3)(A), the Administrator is authorized as well as obligated to establish areas in the airspace if the Administrator, after consulting with the Secretary of Defense, determines doing so is necessary in the interest of national security. Since the Department of Homeland Security was established in 2002 after the enactment of the statute referred to above, the Administrator’s need and responsibility to consult with the Secretary of Homeland Security in addition to the Secretary of Defense is consistent with the intent and purpose of the statute.

List of Abbreviations and Terms Frequently Used in This Document

ADIZ—Air Defense Identification Zone
 AOPA—Aircraft Owners and Pilots Association
 ATC—Air Traffic Control
 DASSP—DCA Access Standard Security Program
 DCA VOR/DME—Washington, DC VHF omni-directional range/distance measuring equipment
 DHS—Department of Homeland Security
 DOD—Department of Defense
 FRZ—Flight Restricted Zone
 HSAS—Homeland Security Advisory System
 IFR—Instrument flight rules