

## The Regulatory Amendment

■ For the reasons discussed in the preamble, we amend 27 CFR, chapter 1, part 9, as follows:

### PART 9—AMERICAN VITICULTURAL AREAS

■ 1. The authority citation for part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

#### Subpart C—Approved American Viticultural Areas

■ 2. Amend subpart C by adding § 9.214 to read as follows:

##### § 9.214 Haw River Valley.

(a) *Name.* The name of the viticultural area described in this section is “Haw River Valley”. For purposes of part 4 of this chapter, “Haw River Valley” and “Haw River” are terms of viticultural significance.

(b) *Approved maps.* The two United States Geological Survey 1:100,000-scale metric topographic maps used to determine the boundary of the Haw River Valley viticultural area are titled:

(1) Greensboro, North Carolina, 1984; and

(2) Chapel Hill, North Carolina, 1984.

(c) *Boundary.* The Haw River Valley viticultural area is located in all of Alamance County and portions of Caswell, Chatham, Guilford, Orange, and Rockingham Counties. The boundary of the Haw River Valley viticultural area is as described below:

(1) Begin at a point on the Greensboro map at the intersection of the Caswell and Orange Counties boundary line with Lynch Creek, southeast of Corbett and the Corbett Ridge, and then proceed in a straight line southeast 2 miles to the intersection of North Carolina State Highway 49 and an unnamed, light-duty road, known locally as McCulloch Road, located approximately 1 mile northeast of Carr, in west Orange County; then

(2) Proceed in a straight line south-southwest 11.9 miles, crossing over U.S. Interstate 85, to Buckhorn at Turkey Hill Creek in west Orange County; then

(3) Proceed in a straight line southeast 5.2 miles, crossing onto the Chapel Hill map, to its intersection with Dodsons Crossroad and an unnamed, light-duty road that runs generally north-northeast-south-southwest in west Orange County; then

(4) Proceed south-southwest on the unnamed, light-duty road 3.4 miles to its intersection with North Carolina State Highway 54, also known as Star Route 54, east of White Cross in west Orange County; then

(5) Proceed southeast in a straight line 14.1 miles, crossing over Terrells

Mountain, Wilkinson Creek and several of its eastern tributaries, and U.S. Route 15–501, until the line intersects with an unnamed road, known locally as Gilead Church Road, and U.S. Route 64 at Griffins Crossroads in Chatham County; then

(6) Proceed generally west along U.S. Route 64 approximately 20.7 miles to its intersection with U.S. Route 421 in Siler City, Chatham County; then

(7) Proceed generally northwest on U.S. Route 421 approximately 5.6 miles to its intersection with the Randolph County line, southeast of Staley; then

(8) Proceed straight north along the Randolph County line 7.4 miles to its intersection with the Guilford County line; then

(9) Proceed straight west along the Randolph County line 5.8 miles to its intersection with U.S. Route 421; then

(10) Proceed in a straight line north-northwest 20.5 miles, crossing onto the Greensboro map, to its intersection with U.S. Route 29 and North Carolina State Highway 150, between Browns Summit and Monticello in Guilford County; then

(11) Proceed generally east and north on North Carolina State Highway 150 approximately 4.3 miles to its intersection with North Carolina State Highway 87, east-northeast of Williamsburg in southeast Rockingham County; then

(12) Proceed in a straight line east-northeast 8.3 miles, crossing over the Caswell County line to a point at the intersection of the 236-meter elevation line, as marked on the map, and an unnamed road, known locally as Cherry Grove Road; then

(13) Proceed east and southeast along the unnamed road, known locally as Cherry Grove Road, 5 miles to its intersection with North Carolina State Highway 62 at Jericho in Caswell County; then

(14) Proceed generally southeast on North Carolina State Highway 62 approximately 1.8 miles to its intersection with an unnamed road, known locally as Bayne’s Road at Anderson in Caswell County; then

(15) Proceed generally east on the unnamed road known locally as Baynes Road 2 miles to its intersection with North Carolina State Highway 119 at Baynes in Caswell County; then

(16) Proceed generally south-southeast along North Carolina State Highway 119 approximately 1.7 miles to its intersection with the Caswell County line; then

(17) Proceed straight east along the Caswell County line 4.3 miles to the beginning point.

Signed: January 23, 2009.

**John J. Manfreda,**  
Administrator.

Approved: February 17, 2009.

**Timothy E. Skud,**

Deputy Assistant Secretary, (Tax, Trade, and Tariff Policy).

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## DEPARTMENT OF LABOR

### Office of Labor-Management Standards

#### 29 CFR Part 470

RIN 1215–AB71

### Obligation of Federal Contractors and Subcontractors; Notice of Employee Rights Concerning Payment of Union Dues or Fees

**AGENCY:** Office of Labor-Management Standards, Employment Standards Administration, Labor.

**ACTION:** Final rule; rescission of regulations.

**SUMMARY:** This final rule rescinds the regulations found at 29 CFR part 470, which implemented Executive Order 13201. Executive Order 13496, signed by President Obama on January 30, 2009 and published in the **Federal Register** on February 4, 2009, revoked Executive Order 13201, thus removing the authority under which such regulations were promulgated. Accordingly, the Secretary of Labor (the “Secretary”) is issuing this final rule to rescind the regulations that implement and enforce the now-revoked Executive Order 13201.

**DATES:** *Effective Date:* March 30, 2009.

**FOR FURTHER INFORMATION CONTACT:** Denise M. Boucher, Director, Office of Policy Reports and Disclosure, Office of Labor-Management Standards, Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Suite N–5609, Washington, DC 20210, (202) 693–1185. This number is not toll-free.

**SUPPLEMENTARY INFORMATION:** On January 30, 2009, President Obama signed Executive Order 13496, which revokes Executive Order 13201 and instructs executive departments and agencies to revoke any orders, rules, regulations, or policies implementing or enforcing Executive Order 13201. Executive Order 13496, Section 13, 74 FR 6107 (February 4, 2009). Pursuant to the now-revoked Executive Order 13201, the Secretary promulgated

regulations implementing and enforcing its terms, 29 CFR Part 470, which required government contractors and subcontractors to post notices informing their employees of certain rights under federal law. These regulations also required federal contracting agencies and covered government contractors and subcontractors to include certain provisions of the Order in their contracts, subcontracts, and purchase orders.

Because Executive Order 13496 expressly revokes Executive Order 13201, the authority for the Secretary's implementing regulations at 29 CFR Part 470 no longer exists. As a result, the implementing regulations are now without force and effect, and the Secretary no longer enforces them. Consequently, this final rule rescinds these regulations.

The Secretary has determined that it need not publish the rescission of these regulations as a proposed rule, as generally required by the Administrative Procedure Act ("APA"), 5 U.S.C. 553(b). Notice to the public and provision of a public comment period for this rule are unnecessary because Executive Order 13201, which authorized 29 CFR Part 470, has been revoked, and, therefore, no legal basis exists for these regulations. Furthermore, Section 13 of Executive Order 13496 provides that regulations implementing Executive Order 13201 shall be promptly revoked. Therefore, good cause exists for dispensing with the notice and comment requirements of the APA. 5 U.S.C. 553(b)(B). For the same reasons, good cause exists to make this rule effective immediately upon publication of this rule. 5 U.S.C. 553(d)(3).

### Regulatory Procedures

#### *Executive Order 12866*

This final rule has been drafted and reviewed in accordance with Executive Order 12866, section 1(b), Principles of Regulation. The Department has determined that this rule is not a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review. The Department has also determined that this rule is not "economically significant" as defined in section 3(f)(1) of Executive Order 12866. Therefore, the information enumerated in section 6(a)(3)(C) of the order is not required.

#### *Regulatory Flexibility Act*

This rescission is not a rule as defined in the Regulatory Flexibility Act (5 U.S.C. 601(2) and 604(a)) because a general notice of proposed rulemaking

was not published nor an opportunity for notice and public comment provided in connection therewith. Therefore, a regulatory flexibility analysis under the Regulatory Flexibility Act is not required. The Secretary has certified this conclusion to the Chief Counsel for Advocacy of the Small Business Administration.

#### *Unfunded Mandates Reform*

Unfunded Mandates Reform Act of 1995—This rule will not include any Federal mandate that may result in increased expenditures by State, local, and tribal governments, in the aggregate, of \$100 million or more, or in increased expenditures by the private sector of \$100 million or more.

#### *Paperwork Reduction Act*

This rule contains no new information collection requirements for purposes of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### *Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based companies to compete with foreign-based companies in domestic and export markets.

#### **List of Subjects in 29 CFR Part 470**

Administrative practice and procedure, Government contracts, Union dues, Labor unions.

■ Accordingly, pursuant to Executive Order 13496 and for the reasons stated herein, the Secretary hereby amends Title 29 of the Code of Federal Regulations, Subchapter C, by removing Part 470 and reserving it for future use.

**Authority:** Executive Order 13496.

Signed in Washington, DC, this 24th day of March, 2009.

**Shelby Hallmark,**

*Acting Assistant Secretary for Employment Standards.*

**Andrew D. Auerbach,**

*Deputy Director, Office of Labor-Management Standards.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### **33 CFR Part 165**

[Docket No. USCG-2008-0070]

RIN 1625-AA87

#### **Security Zone; Port of Mayaguez, Puerto Rico**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Interim rule with request comments.

**SUMMARY:** The Coast Guard is establishing 50 yard moving and fixed security zones around cruise ships entering, departing, mooring or anchoring at the Port of Mayaguez, Puerto Rico. This proposed regulation is necessary to protect cruise ships operating in this port. This interim rule excludes entry into the security zones by all vessels, with the exception of servicing pilot boats and assisting tug boats, without the express permission of the Captain of the Port San Juan or a designated representative.

**DATES:** This interim rule is effective April 29, 2009. Comments and related material must reach the Docket Management Facility on or before April 29, 2009.

**ADDRESSES:** You may submit comments identified by docket number USCG-2008-0070 using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* 202-493-2251.

(3) *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these methods. For instructions on submitting comments, see the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this interim rule, call Lieutenant Junior Grade Rachael Love of Sector San Juan, Prevention Operations Department at (787)-289-2071. If you have questions on viewing or submitting material to the docket, call