

nonattainment area has attaining data for the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standards for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

(b) [Reserved]

#### Subpart PP—South Carolina

■ 3. Section 52.2125 is added to read as follows:

##### § 52.2125 Control strategy: Ozone.

(a) *Determination of attaining data.* EPA has determined, as of November 15, 2011, the bi-state Charlotte-Gastonia-Rockhill, North Carolina-South Carolina nonattainment area has attaining data for the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standards for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

(b) [Reserved]

[FR Doc. 2011-29184 Filed 11-14-11; 8:45 am]

BILLING CODE 6560-50-P

---

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 73 and 74

[MB Docket No. 03-185; Report No. 2935]

#### Petition for Reconsideration of Action of Rulemaking Proceeding

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** In this document, Petitions for Reconsideration (Petitions) have been filed in the Commission's Rulemaking proceeding concerning the Commission's *Second Report and Order*.

**DATES:** Oppositions to the Petitions must be filed by November 30, 2011. Replies to an opposition must be filed December 12, 2011.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Shaun Maher, Media Bureau, (202) 418-2324.

**SUPPLEMENTARY INFORMATION:** In this document, Petitions for Reconsideration (Petitions) have been filed in the Commission's Rulemaking proceeding concerning the Commission's *Second Report and Order*, FCC 11-110, in MB Docket No. 03-185 and published pursuant to 47 CFR 1.429(e). See 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)).

This is a summary of Commission's document, Report No. 2935, released October 25, 2011. The full text of this document is available for viewing and copying in Room CY-B402, 445 12th Street SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-(800) 378-3160). The Commission will not send a copy of this *Notice* pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this *Notice* does not have an impact on any rules of particular applicability.

*Subject:* In the Matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations (MB Docket No. 03-185).

*Number of Petitions Filed:* 7.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of Managing Director.*

[FR Doc. 2011-29437 Filed 11-14-11; 8:45 a.m.]

BILLING CODE 6712-01-P

---

## DEPARTMENT OF HOMELAND SECURITY

### 48 CFR Parts 3009 and 3052

[Docket No. DHS-2010-0017]

RIN 1601-AA55

#### Prohibition on Federal Protective Service Guard Services Contracts With Business Concerns Owned, Controlled, or Operated by an Individual Convicted of a Felony [HSAR Case 2009-001]; Correction

**AGENCY:** Office of the Chief Procurement Officer, DHS.

**ACTION:** Correcting amendment.

**SUMMARY:** This document corrects internal citations within the Homeland Security Acquisition Regulation to reflect previous redesignation of

sections related to contracting with corporate expatriates and the recodification of certain public contracting laws in title 41, United States Code.

**DATES:** *Effective Date:* November 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ann Van Houten, Procurement Analyst, at (202) 447-5285, for clarification of content.

#### SUPPLEMENTARY INFORMATION:

This document corrects internal citations within the Department of Homeland Security (DHS) Homeland Security Acquisition Regulation (HSAR) at parts 3009 and 3052 to reflect a prior redesignation of related sections and the recodification of certain public contracting laws in title 41, United States Code, by Public Law 111-350, 124 Stat. 367 (Jan. 4, 2011).

On November 16, 2009, DHS published a final rule entitled *Prohibition on Federal Protective Service Guard Services Contracts With Business Concerns Owned, Controlled, or Operated by an Individual Convicted of a Felony* [HSAR Case 2009-001], 74 FR 58851 (Nov. 16, 2009), implementing prohibitions related to contracting with guard services owned, controlled or operated by an individual who has been convicted of a serious felony. This final rule resulted in the redesignation of multiple sections within the HSAR. On December 16, 2009, DHS corrected the final rule by redesignating section 3009.104-70 as section 3009.108-70, and subsections 3009.104-71 through 3009.104-75 as subsections 3009.108-7001 through 3009.108-7005. 74 FR 66584 (Dec. 16, 2009). This amendment corrects internal references within subsections 3009.108-7001, 3009.108-7004 and 3052.209-70 to reflect the previous redesignations.

The amendment also corrects the authority citation for Parts 3009 and 3052 resulting from the recodification of certain public contracting laws in title 41 by Public Law 111-350, 124 Stat. 367 (Jan. 4, 2011).

#### List of Subjects in 48 CFR Parts 3009 and 3052

Government procurement.

#### Correcting Amendments

Accordingly, 48 CFR Parts 3009 and 3052 are corrected by making the following amendments:

#### PART 3009—CONTRACTOR QUALIFICATIONS

■ 1. The authority citation for part 3009 is revised to read as follows:

**Authority:** 5 U.S.C. 301–302, 41 U.S.C. 1707(a) and (b), 41 U.S.C. 1702, 48 CFR part 1, subpart 1.3, and DHS Delegation Number 0700.

■ 2. Section 3009.108–7001 is revised to read as follows:

**3009.108–7001 General.**

Except as provided in (HSAR) 48 CFR 3009.108–7004, DHS may not enter into any contract with a foreign incorporated entity which is treated as an inverted domestic corporation under subsection (b) of section 835 of the Homeland Security Act, 6 U.S.C. 395(b), or any subsidiary of such an entity.

■ 3. Section 3009.108–7004(a) is revised to read as follows:

**3009.108–7004 Waivers.**

(a) The Secretary shall waive the provisions of (HSAR) 48 CFR 3009.108–7001 with respect to any specific contract if the Secretary determines that the waiver is required in the interest of national security.

\* \* \* \* \*

**PART 3052—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 4. The authority citation for part 3052 is revised to read as follows:

**Authority:** 5 U.S.C. 301–302, 41 U.S.C. 1707(a) and (b), 41 U.S.C. 1702, 48 CFR part 1, subpart 1.3, and DHS Delegation Number 0700.

■ 5. Section 3052.209–70 is amended by revising the introductory text and paragraph (f) of the clause to read as follows:

**3052.209–70 Prohibition on contracts with corporate expatriates.**

As prescribed at (HSAR) 48 CFR 3009.108–7005, insert the following clause:

\* \* \* \* \*

(f) *Disclosure.* The offeror under this solicitation represents that [Check one]:  
 \_\_\_ it is not a foreign incorporated entity that should be treated as an inverted domestic corporation pursuant to the criteria of (HSAR) 48 CFR 3009.108–7000 through 3009.108–7003;  
 \_\_\_ it is a foreign incorporated entity that should be treated as an inverted domestic corporation pursuant to the criteria of (HSAR) 48 CFR 3009.108–7000 through 3009.108–7003, but it has submitted a request for waiver pursuant to 3009.108–7004, which has not been denied; or

\_\_\_ it is a foreign incorporated entity that should be treated as an inverted domestic corporation pursuant to the criteria of (HSAR) 48 CFR 3009.108–

7000 through 3009.108–7003, but it plans to submit a request for waiver pursuant to 3009.108–7004.

\* \* \* \* \*

**Christina E. McDonald,**

*Associate General Counsel for Regulatory Affairs, Department of Homeland Security.*

[FR Doc. 2011–29388 Filed 11–14–11; 8:45 am]

**BILLING CODE 9110–9B–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**49 CFR Part 391**

[Docket No. FMCSA–1997–2210]

**RIN 2126–AB39**

**Medical Certification Requirements as Part of the Commercial Driver’s License (CDL); Extension of Certificate Retention Requirements**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The FMCSA amends its regulations to keep in effect until January 30, 2014, the requirement that interstate drivers subject to the commercial driver’s license (CDL) regulations and the Federal physical qualification requirements must retain paper copies of their medical examiner’s certificate. Interstate motor carriers are also required to retain copies of their drivers’ medical certificates in their driver qualification files. This action is being taken to ensure the medical qualification of CDL holders until all States are able to post the medical self-certification and medical examiner’s certificate data on the Commercial Driver’s License Information System (CDLIS) driver record. This rule does not, however, extend the compliance dates for States to collect and to post to the CDLIS driver record data from a CDL holder’s medical self-certification and medical examiner’s certificate.

**DATES:** This rule is effective December 15, 2011.

**ADDRESSES:** You may search background documents or comments to the docket for this rule, identified by docket number FMCSA–1997–2210, by visiting the:

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for reviewing documents and comments. Regulations.gov is available electronically 24 hours each day, 365 days a year; or

• *DOT Docket Management Facility (M–30):* U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., West Building, Ground Floor, Room 12–140, Washington, DC 20590–0001.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT’s Privacy Act System of Records Notice for the DOT Federal Docket Management System published in the **Federal Register** on January 17, 2008, (73 FR 3316) or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8–785.pdf>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Redmond, Senior Transportation Specialist, Office of Safety Programs, Commercial Driver’s License Division (MC–ESL), Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–5014.

**SUPPLEMENTARY INFORMATION:**

**Legal Basis**

*Medical Certification Requirements as Part of the CDL*

The legal basis of the final rule titled “Medical Certification Requirements as Part of the Commercial Driver’s License,” published on December 1, 2008, (2008 final rule) (73 FR 73096–73097), is also applicable to this rule.

**Background**

On December 1, 2008, FMCSA published a final rule (73 FR 73096) adopting regulations to implement section 215 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Pub. L. 106–159, 113 Stat. 1767, Dec. 9, 1999). Section 215 directed initiation of a rule to provide for a Federal medical qualification certificate to be made a part of commercial driver’s licenses. The 2008 final rule requires any CDL holder subject to the physical qualification requirements of the Federal Motor Carrier Safety Regulations (FMCSRs) to provide a current original or copy of his or her medical examiner’s certificate to the issuing State Driver Licensing Agency (SDLA). The final rule requires the SDLA to post in the CDLIS driver record the self-certification that CDL holders are required to make regarding applicability of the Federal physical qualification requirements and, for drivers subject to those requirements, the medical certification information specified in the regulations. The final