

cooperative agreement. Requests for changes or additions are to be coordinated through the Office of Procurement, Program Operations Division.

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■ 3. Amend § 1260.28 by revising the date and paragraph (e) to read as follows:

**§ 1260.28 Patent rights.**

**Patent Rights**

May 2006

\* \* \* \* \*

(e) The NASA implementing regulation for paragraph (g)(2) of the "Patent Rights" clause is at 48 CFR 1827.304-4(a)(i).

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■ 4. Amend Exhibit E to subpart A of part 1260 by revising the introductory paragraph to read as follows:

The following Space Development and Commercial Research (SDCR) Special Conditions replace General Conditions §§ 1260.28, Patent Rights, and 1260.30, Rights in Data. Insert these Special Conditions in full text in all SDCR Grants and Cooperative Agreements in addition to the General Conditions in the NASA Grant and Cooperative Agreement Handbook (except for §§ 1260.28 and 1260.30). Any changes or additions to these Special Conditions must be approved by the Office of Procurement, NASA Headquarters, Procurement Operations Division, before award of the agreement.

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[FR Doc. 06-4493 Filed 5-17-06; 8:45 am]

BILLING CODE 7510-01-P

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[COTP Guam 06-008]

RIN 1625-AA00

**Safety Zone; Tarague Basin and Adjacent Waters, GU**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the waters of the North Pacific Ocean bounded by a circle with a 2077-yard radius, centered at 13°35'35" North Latitude and 144°56'29" East Longitude (NAD 1983) in the vicinity of Pati Point, Guam. This safety zone is necessary to protect mariners who would otherwise transit or be within this area from possible safety hazards associated with U.S. Air Force detonation range

operations. Entry of persons or vessels into this temporary safety zone is prohibited unless authorized by the Captain of the Port (COTP).

**DATES:** This safety zone is effective from 8 a.m. on May 4, 2006 to 4 p.m. on July 30, 2006. The zone will be enforced every Sunday from 8 a.m. to 4 p.m. from May 4, 2006 to July 30, 2006. All times are Kilo, Local Time.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket COTP Guam 06-008 and are available for inspection or copying at Coast Guard Sector Guam between 7:30 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant (Junior Grade) Jose M. Rosario, U.S. Coast Guard Sector Guam at (671) 339-2001 Extension 159.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. The precise location of this detonation operation site, and the need for this safety zone, was not determined until less than 30 days before the range operations were scheduled to begin. Publishing an NPRM and delaying the effective date would be contrary to the public interest because the Air Force operations would begin before the rulemaking process was complete, thereby jeopardizing the safety of people and property unknowingly transiting or remaining in the area.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The COTP finds this good cause to be the immediate need for a safety zone to allay the aforementioned safety concerns surrounding the detonation operations.

**Background and Purpose**

The Coast Guard expects that, every Sunday from 8 a.m. to 4 p.m. from May 4, 2006 to July 30, 2006, the U.S. Air Force will conduct range operations within the Guam Captain of the Port Zone. The Coast Guard has determined that a temporary safety zone in the waters of Tarague Basin bounded by a circle with a 2077-yard radius in the vicinity of Pati Point, Guam is necessary to protect people and property from hazards associated with the operation.

**Discussion of Rule**

This temporary safety zone will be enforced every Sunday from 8 a.m. to 4 p.m. from May 4, 2006 to July 30, 2006. It is located within the Guam Captain of the Port Zone (See 33 CFR 3.70-15) and covers all waters bounded by a circle with a 2077-yard radius, centered at 13°35'35" North Latitude and 144°56'29" East Longitude (NAD 1983), from the surface of the water to the ocean floor.

The general regulations governing safety zones contained in 33 CFR 165.23 apply. Entry into, transit through, or anchoring within this zone is prohibited unless authorized by the Captain of the Port or a designated representative thereof. Any Coast Guard commissioned, warrant, or petty officer, and any other Captain of the Port representative permitted by law, may enforce the zone. The Captain of the Port may waive any of the requirements of this rule for any person, vessel, or class of vessel upon finding that application of the safety zone is unnecessary or impractical for the purpose of maritime safety.

**Regulatory Evaluation**

This rule is not a "significant regulatory action" under § 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under § 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary. This expectation is based on the short durations of the zone and the limited geographic area affected by it.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule will have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. We expect that there will be little or no impact to small entities due to the narrowly tailored scope of this safety zone.

### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding this rule so that they could better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to

minimize litigation, eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards is inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, under figure 2–1, paragraph (34)(g) of the Instruction, this rule is categorically excluded from further environmental documentation. A final “Environmental Analysis Check List” and a final “Categorical Exclusion Determination” will be available in the docket where indicated under **ADDRESSES**.

### List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, and Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T14–144 to read as follows:

#### § 165.T14–144 Safety Zone; Tarague Basin and Adjacent Waters, GU.

(a) *Location.* The following area, from the surface of the water to the ocean floor, is a safety zone: All waters bounded by a circle with a 2077-yard radius, centered at 13°35'35" North Latitude and 144°56'29" East Longitude (NAD 1983) in the vicinity of Pati Point, Guam.

(b) *Effective Dates.* This safety zone is effective from 8 a.m. on May 4, 2006 to 4 p.m. on July 30, 2006.

(c) *Regulations.* The general regulations governing safety zones contained in 33 CFR 165.23 apply. Entry into, transit through, or anchoring within this zone is prohibited unless authorized by the Captain of the Port or a designated representative thereof.

(d) *Enforcement.* This rule will be enforced every Sunday from 8 a.m. to 4 p.m. from May 4, 2006 to July 30, 2006. Any Coast Guard commissioned, warrant, or petty officer may enforce this temporary safety zone.

(e) *Waiver*. The Captain of the Port may waive any of the requirements of this rule for any person, vessel, or class of vessel upon finding that application of the safety zone is unnecessary or impractical for the purpose of maritime security.

Dated: May 4, 2006.

**W.R. Marhoffer,**

*Captain, U.S. Coast Guard, Captain of the Port, Guam.*

[FR Doc. 06-4627 Filed 5-17-06; 8:45 am]

BILLING CODE 4910-15-P

reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

**40 CFR Part 81**

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: May 9, 2006.

**Julie M. Hagensen,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 06-4604 Filed 5-17-06; 8:45 am]

BILLING CODE 6560-50-P

Particulate matter, Reporting and recordkeeping requirements.

**40 CFR Part 81**

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: May 9, 2006.

**Julie M. Hagensen,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 06-4603 Filed 5-17-06; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA-R10-OAR-2006-0050; FRL-8171-4]

#### Approval and Promulgation of Air Quality Implementation Plans; La Grande, OR; PM<sub>10</sub> Maintenance Plan and Redesignation Request; Withdrawal of Direct Final Rule

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to an adverse comment, EPA is withdrawing the March 22, 2006 direct final rule (see 71 FR 14393) to approve a PM<sub>10</sub> State Implementation Plan (SIP) maintenance plan revision for the La Grande, Oregon nonattainment area and to redesignate the area from nonattainment to attainment for PM<sub>10</sub>. In the March 22, 2006 direct final rule, we stated that if we received adverse comments by April 21, 2006, the direct final rule would be withdrawn and would not take effect. EPA subsequently received adverse comment on that direct final rule. EPA will address all comments received in a subsequent final action based upon the proposed action also published on March 22, 2006 (see 71 FR 14438). EPA will not institute a second comment period on this document.

**FOR FURTHER INFORMATION CONTACT:**

Donna Deneen, Environmental Protection Agency, Region 10, 1200 Sixth Avenue (AWT-107), Seattle, WA 98101, (206) 553-6706.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule located in the Rules and Regulations section of the March 22, 2006 *Federal Register* (71 FR 14393).

#### List of Subjects

**40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA-R10-OAR-2006-0010; FRL-8171-3]

#### Approval and Promulgation of Air Quality Implementation Plans; Lakeview, OR; PM<sub>10</sub> Maintenance Plan and Redesignation Request; Withdrawal of Direct Final Rule

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to an adverse comment, EPA is withdrawing the March 22, 2006 direct final rule (see 71 FR 14399) to approve a PM<sub>10</sub> State Implementation Plan (SIP) maintenance plan revision for the Lakeview, Oregon nonattainment area and to redesignate the area from nonattainment to attainment for PM<sub>10</sub>. In the March 22, 2006 direct final rule, we stated that if we received adverse comments by April 21, 2006, the direct final rule would be withdrawn and would not take effect. EPA subsequently received adverse comment on that direct final rule. EPA will address all comments received in a subsequent final action based upon the proposed action also published on March 22, 2006 (see 71 FR 14438). EPA will not institute a second comment period on this document.

**FOR FURTHER INFORMATION CONTACT:**

Donna Deneen, Environmental Protection Agency, Region 10, 1200 Sixth Avenue (AWT-107), Seattle, WA 98101, (206) 553-6706.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule located in the Rules and Regulations section of the March 22, 2006 *Federal Register* (71 FR 14399).

#### List of Subjects

**40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations,

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 102-42

[FMR Amendment 2006-04; FMR Case 2006-102-5]

RIN 3090-AI28

#### Federal Management Regulation; Utilization, Donation, and Disposal of Foreign Gifts and Decorations

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration is amending the Federal Management Regulation (FMR) language that pertains to personal property by correcting references to outdated or superseded provisions of law or regulation; correcting text to be in conformance with revised laws, regulation, or Federal agency responsibilities; and clarifying text where the intended meaning could be updated or made clearer. The FMR and any corresponding documents may be accessed at GSA's Web site at <http://www.gsa.gov/fmr>.

**DATES:** *Effective Date:* June 19, 2006.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat, Room 4035, GSA Building, Washington, DC, 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Robert Holcombe, Office of Governmentwide Policy, Office of Travel, Transportation, and Asset Management (MT), at (202) 501-3828 or e-mail at [Robert.Holcombe@gsa.gov](mailto:Robert.Holcombe@gsa.gov). Please cite Amendment 2006-04, FMR case 2006-102-5.

**SUPPLEMENTARY INFORMATION:**

#### A. Background

In the years since 41 CFR part 102-42 was published as a final rule, the references to other regulations which migrated from the Federal Property