Federal Mandate Report July, 2006

Commonwealth of Virginia
Office of the Governor
Virginia Liaison Office

Introduction

The Federal Mandate Report is published semiannually by the Virginia Liaison Office using information provided by the Congressional Budget Office (CBO), the National Governors Association, and federal agency contacts. The Liaison office has relied on the CBO's interpretations of the Federal Unfunded Mandate Reform Act (UMRA) to determine what legislation should be identified as containing an intergovernmental mandate, and descriptions of the mandates provided in this analysis are based upon or excerpted from CBO documents. The bills contained in this report, between the dates January 10, 2006 through July 10, 2006, were reviewed by CBO.

The Liaison Office has relied on the recommendations of the Regulatory Information Service Center (RISC) of the General Services Administration to determine which federal regulatory actions may affect the states.

This edition of the **Federal Mandate Report** is intended to provide an overview of the legislative and regulatory requirements imposed upon the Commonwealth for the period from January 10, 2006 through July 10, 2006.

In this report the Liaison Office provides reviews of the legislation containing mandates that have become public law (Part I), or passed in at least one chamber of Congress (Part II) during the period from January 10, 2006 through July 10, 2006. The report also provides reviews of federal regulatory action completed during the same period that may have an effect on the Commonwealth (Part III).

Of the bills reviewed by the CBO that have become public law during the period from January 10, 2006 through July 10, 2006, four (4) contain mandates.

For the same period, January 10, 2006 through July 10, 2006, the RISC identified a total of fifty- four (54) completed federal regulations that may affect the States; (54) may affect the Commonwealth.

Additional information can be obtained by contacting
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Part I – Mandates in Public Laws

Title I of the Unfunded Mandate Reform Act (UMRA) of 1995 requires the Congressional Budget Office (CBO) to prepare mandate statements for bills approved by authorizing committees. In those statements, CBO must address whether a bill contains federal mandates and, if so, whether the direct costs of those mandates would be greater than the thresholds established in the law. Those thresholds, which are stated in 1996 dollars and are adjusted annually for inflation, are $50 million or more per year for the public sector (state, local, or tribal governments) and $100 million or more per year for the private sector. (In 2006, those thresholds, adjusted for inflation, are $64 million for intergovernmental mandates and $128 million for private-sector mandates.)

Bill Number	Bill Title	Unfunded Mandate	Bill Status (Including Congressional Vote
H.R. 4297	**Tax Increase Prevention and Reconciliation Act of 2005**	H.R. 4297, enacted as Public Law 109-222, extends for two years (through 2010) the reduced rates of tax on capital gains and dividends, provides relief to individuals from the alternative minimum tax in tax year 2006, and makes other changes to the Internal Revenue Code. The Joint Committee on Taxation (JCT) estimates that this legislation will reduce federal revenues by $70.0 billion over the 2006-2010 period and by $69.1 billion over the 2006-2015 period. In addition, based on information provided by JCT, CBO estimates that the legislation will have no effect on federal spending. The Congressional budget resolution for fiscal year 2006 (H. Con. Res. 95) instructed the tax-writing committees to recommend legislative changes under the reconciliation process that would reduce revenues by not more than $70 billion over the 2006-2010 period. H.R. 4297 is the resulting reconciliation legislation. JCT has determined that the tax provisions of the conference agreement contain two unfunded private-sector mandates that	**5/17/2006** Became Public Law No: 109-222 **5/17/2006** Signed by President. **5/11/2006** Conference report agreed to in Senate:Yea-Nay Vote. 54 - 44. Sen.'s Allen and Warner both voted in favor of this legislation **5/10/2006** Conference report agreed to in House: Agreed to by recorded vote: 244 - 185 Rep.'s Cantor, J. Davis, T. Davis, Drake, Forbes, Goode, Goodlatte, Wolf voted in favor of this

		were not previously considered by either the House or the Senate: (1) repeal of the foreign sales corporation-extraterritorial income (FSC-ETI) grandfather rule, and (2) an amendment to the section 911 housing exclusion. In addition, the provision relating to withholding on certain government payments (section 511) would impose an intergovernmental mandate not previously considered by either the House or the Senate. The costs of all the mandates in the bill would exceed the annual threshold established in the Unfunded Mandates Reform Act for private-sector mandates beginning in 2007 and for intergovernmental mandates beginning in 2011.	legislation Rep.'s Boucher, Moran, Scott voted against this legislation. **2/2/2006** Passed/agreed to in Senate with an amendment: Yea-Nay. 66 - 31. Sen.'s Allen and Warner both voted in favor of this legislation. **12/8/2005** Passed/agreed to in House: Passed by the Yeas and Nays: 234 -197 Rep.'s Cantor, J. Davis, T. Davis, Drake, Forbes, Goode, Goodlatte, Wolf voted in favor of this legislation Rep.'s Boucher, Moran, Scott voted against this legislation **11/17/2005** Reported (Amended) by the Committee on Ways and Means.
H.R. 5403	**Safe and Timely Interstate Placement of**	H.R. 5403 would amend the Social Security Act to require states that receive foster care payments under the federal IV-E program to meet certain requirements when placing children in adoptive or foster homes in other states. The bill would require	**7/3/2006** Became Public Law No: 109-239 **7/3/2006**

	Foster Children Act of 2006	states receiving requests from other states to assess the suitability of placing a child in a home to complete such studies within 60 days (states may be granted up to 75 days, under certain circumstances). The bill would authorize appropriations of $10 million in each of fiscal years 2007 through 2010 to provide incentive payments to states that complete home studies within 30 days. For each home study completed within the 30-day period, a state would receive a payment of up to $1,500. (That amount could be reduced on a pro-rata basis if the appropriation is insufficient to cover the number of eligible placements.) Assuming appropriation of the authorized amounts, enacting H.R. 5403 would result in increased outlays of up to $40 million over the 2007-2011 period. Those costs would fall within budget function 600 (income security). The bill's effect on direct spending is less clear. Provisions of the bill might lead to faster placement of foster children in permanent homes out of state, thus resulting in savings to the federal government by reducing the sending state's claims for foster care expenses under the IV-E program. (The federal government will spend about $6.6 billion on that program this year.) On the other hand, a receiving state might expedite work on an interstate placement in order to meet the requirements of this bill, and, as a result, some of its in-state foster children could remain in foster homes longer, resulting in increased IV-E claims. Furthermore, if states employ greater use of private contractors (as the bill would encourage) in order to complete the home studies in a timely manner, and are able to claim those costs under the IV-E program, federal costs could likewise increase.	Signed by President. ***6/23/2006*** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent **5/24/2006** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote. **5/17/2006** Introduced/originated in House

		The requirement to complete home studies for the interstate placement of children in foster and adoptive homes within 60 days would be an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA). States would have to devote more personnel to shortening the length of time it takes to complete home studies, or they would have to contract with private entities to carry out the home studies within the 60-day deadline. In either case, they would need to spend additional resources. CBO estimates, however, that the costs of the mandate would not exceed the threshold established in UMRA. UMRA specifies criteria for identifying intergovernmental mandates in large entitlement grant programs (those that provide more than $500 million annually to state, local, or tribal governments), including foster care. If a legislative proposal would increase the stringency of conditions of assistance, such a change would be considered an intergovernmental mandate if the state, local, or tribal government lacks authority to offset the costs by amending its financial or programmatic responsibilities to continue providing required services. The foster care program is relatively narrow in scope, and its primary goal is to place children in safe home settings. Consequently, the foster care program does not afford states much flexibility, so the new requirements for foster care programs would be intergovernmental mandates as defined in UMRA. This bill contains no private-sector mandates as defined in UMRA.	
S. 1932	**Deficit Reduction Act of 2005**	The Congressional budget resolution for fiscal year 2006 (H. Con. Res. 95) instructed several committees in both the House of Representatives and the Senate to recommend legislative	**2/8/2006** Signed by President. 2/8/2006 Became Public Law No: 109-171

		changes that would reduce outlays from direct spending by about $35 billion over the 2006- 2010 period. That process is known as reconciliation and its results are embodied in S. 1932. (The budget resolution also called for a reconciliation bill that would reduce collections of federal revenues; that legislation is being considered separately by the Congress.) Enacting S. 1932 would reduce direct spending by about $39 billion over the 2006-2010 period and by approximately $99 billion over the 2006-2015 period, CBO estimates, through changes in a variety of programs. Those changes include increases in offsetting receipts (which are recorded in the budget as a credit against direct spending). The Deficit Reduction Act contains two apparent errors in legislative language: one in section 8006 regarding direct loans to parents of postsecondary students, and one in section 10002 regarding bankruptcy fees. If those apparent errors were changed in subsequent legislation, the estimated five-year savings would rise by about $700 million, and the estimated 10-year savings would increase by about $2 billion.	**12/19/2005** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 212 - 206 Rep.'s Cantor, T. Davis, Drake, Forbes, Wolf, Goode and Goodlatte all voted in favor of this legislation. Rep.'s Boucher and Moran voted against this legislation Rep. J. Davis did not vote **12/19/2005** Conference report filed. **11/18/2005** Passed/agreed to in House **11/3/2005** Passed/agreed to in Senate: Passed by Yea-Nay Vote. 52 - 47. Both Sen. Allen and Warner voted in favor of this legislation. **10/27/2005** Committee on the Budget.

S. 2803	**Mine Improvement and New Emergency Response Act of 2006**	S. 2803, signed into law as Public Law 109-236, requires operators of underground coal mines to improve accident preparedness. The legislation requires mining companies to develop an emergency response plan specific to each mine they operate, and requires that every mine have at least two rescue teams located within one hour. This act also limits the legal liability of rescue team members and the companies that employ them. It increases both civil and criminal penalties for violations of federal mining safety standards and gives the Mine Safety and Health Administration (MSHA) the ability to temporarily close a mine that fails to pay the penalties or fines. In addition, the law requires several studies into ways to enhance mine safety, as well as the establishment of a new office within the National Institute for Occupational Safety and Health devoted to improving mine safety. Finally, the law establishes new scholarship and grant programs devoted to training individuals with respect to mine safety. By increasing civil and criminal penalties, CBO estimates that Public Law 109-236 will increase federal revenues by $1 million in 2006, by $27 million over the 2006-2011 period, and by $53 million through 2016. (Civil and criminal penalties are recorded by the federal budget as revenues.) Funds collected through increases in criminal penalties are deposited in the Crime Victims Fund and subsequently spent. CBO estimates that the law will increase direct spending by about $5 million over the 2007-2011 period, and by $10 million over the 2007-2016 period.	**6/15/2006** Became Public Law No: 109-236 **6/15/2006** Signed by President. **6/7/2006** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 381 – 37 All VA Rep.'s voted in favor of this legislation **5/24/2006** Passed/agreed to in Senate: Passed with an amendment by Unanimous Consent. **5/23/2006** Committee on Health, Education, Labor, and Pensions. Reported with an amendment in the nature of a substitute.

Part II-Mandates in Pending Legislation

Title I of the Unfunded Mandate Reform Act (UMRA) of 1995 requires the Congressional Budget Office (CBO) to prepare mandate statements for bills approved by authorizing committees. In those statements, CBO must address whether a bill contains federal mandates and, if so, whether the direct costs of those mandates would be greater than the thresholds established in the law. Those thresholds, which are stated in 1996 dollars and are adjusted annually for inflation, are $50 million or more per year for the public sector (state, local, or tribal governments) and $100 million or more per year for the private sector. (In 2006, those thresholds, adjusted for inflation, are $64 million for intergovernmental mandates and $128 million for private-sector mandates.)

Bill Number	Bill Title	Unfunded Mandate	Bill Status (Including Congressional Vote
H.R. 3505	**Financial Services Regulatory Relief Act of 2005**	H.R. 3505 would affect the operations of financial institutions and the agencies that regulate them. Some provisions would address specific sectors: national banks could more easily operate as S corporations or adopt other alternative organizational structures; thrift institutions would be given some of the same investment, lending, and ownership options available to banks; credit unions would have new options for investments, lending, mergers, and leasing federal property; and certain privately insured credit unions could become members of the Federal Home Loan Bank system. The bill would provide the Federal Deposit Insurance Corporation (FDIC) with new enforcement authority and modify regulatory procedures governing certain types of transactions. It also would give financial regulatory agencies more flexibility in sharing data, retaining records, and scheduling examinations. Finally, the bill would direct the Secretary of the Treasury to develop various reports, regulations, and programs related to currency transactions. CBO estimates that enacting this bill would reduce federal revenues by $64 million over the 2006-2011 period and by a total of $167 million over the 2006-2016 period. In addition, we estimate that direct spending would increase by $2 million over the 2006-2011 period and by a total of $7 million over the 2006-	**3/9/2006** Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. **3/8/2006** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: 415 - 2

		2016 period. Provisions affecting programs funded by annual appropriations would cost another $4 million in 2007, CBO estimates, assuming appropriation of the necessary amounts. H.R. 3505 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the cost of complying with the requirements would be small and would not exceed the threshold established in UMRA. H.R. 3505 contains several private-sector mandates as defined in UMRA. Those mandates would affect some depository institutions controlled by commercial firms, certain depository institutions and institution-affiliated parties, non-depository institutions that control depository institutions, uninsured banks, bank holding companies and their subsidiaries, and savings and loan association holding companies and their subsidiaries. At the same time, the bill would relax some restrictions on the operations of certain financial institutions. CBO estimates that the aggregate direct costs of complying with the private-sector mandates in the bill would not exceed the annual threshold established by UMRA	All VA representatives voted in favor of this legislation. **2/16/2006** Reported (Amended) by the Committee on Judiciary. **12/17/2005** Reported (Amended) by the Committee on 109-356, Part I.
H.R. 4167	**National Uniformity for Food Act of 2005**	The National Uniformity for Food Act of 2005 would amend the Federal Food, Drug, and Cosmetic Act (FDCA) to prohibit states or local governments from establishing or continuing in effect requirements imposed on food that are not identical to federal requirements under specified FDCA provisions concerning the definition of food adulteration or the issuance of warning notifications concerning the safety of food. H.R. 4167 would establish a petition process by which states could request exemption for selected food safety and notification requirements that do not meet the national uniformity requirements instituted under the bill. States may also petition that a national standard determination be made by the Food and Drug Administration (FDA) regarding the specific requirement. Under certain circumstances, the bill would allow a state to	**2/28/2006** Reported by the Committee on Energy and Commerce. **3/8/2006** Passed/agreed to in House: 283 - 139 Rep.'s Scott and Wolf voted against

		establish a requirement that would be in conflict with national uniformity standards if it is needed to prevent imminent hazard to public health. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 4167 would cost less than $500,000 in 2006 and about $100 million over the 2006-2011 period. Those costs would be incurred by FDA. Enacting the bill would not affect direct spending or receipts. H.R. 4167 would preempt certain state laws governing food safety, the labeling of food products, and the issuance of warning notifications. Those preemptions would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). The costs of complying with those mandates, however, would be minimal and would not exceed the threshold established in UMRA.. If states chose to seek exemptions from the federal prohibition, they might incur costs depending on the type of requirement involved and subsequent legal actions. However, those activities, and any costs, would not be associated with complying with the mandate itself. The bill contains no new private-sector mandates as defined in UMRA	this legislation Rep.'s Boucher, Cantor, J. Davis, T. Davis, Drake, Forbes, Goode, Goodlatte and Moran voted in favor of this legislation **3/9/2006** Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
H.R. 4472	**Children's Safety and Violent Crime Reduction Act of 2005**	H.R. 4472 would cost about $1.5 billion over the 2006-2011 period. Enacting the bill could affect direct spending and receipts, but CBO estimates that any such effects would not be significant. H.R. 4472 would place additional requirements on states, Indian tribes, and U.S. territories to establish or maintain registration programs for persons convicted of sex offenses. The bill would authorize the appropriation of such sums as necessary for fiscal years 2006 through 2008 for the Department of Justice (DOJ) to make grants to cover the costs of meeting these new requirements and the costs of meeting existing federal requirements for sex offender registration programs. (Most states have such programs, and current law authorizes the appropriation of such sums as necessary through 2007 to cover the costs of compliance with those requirements.) H.R. 4472 also would direct DOJ to carry out certain activities	**3/27/2006** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 379. **3/8/2006** Passed/agreed to in House: On motion to suspend the rules

		relating to identifying and tracking sex offenders and would establish several DOJ grant programs to combat sex offenses. In addition, the bill would authorize the appropriation of $409 million over the 2006- 2010 period to provide increased court security through the U.S. Marshals Service and to provide grants to states to increase the security of courts and protect witnesses. CBO estimates that it would authorize additional appropriations of $25 million a year over the 2006-2009 period for grants to states to create databases to assess threats of domestic terrorism and crime. H.R. 4472 also would authorize the appropriation of $260 million over the 2006-2010 period for DOJ programs to combat criminal street gangs, protect witnesses and victims of gang related crimes, and help offenders to reenter communities. Finally, the bill would establish mandatory minimum prison sentences for a number of offenses related to sexual abuse, certain crimes committed against judges and certain public safety officers and their families, and for certain crimes committed by members of criminal street gangs. H.R. 4472 also would increase the mandatory minimum federal sentences for the crimes of murder in the second degree and manslaughter. The bill's requirements governing background checks, placement of children in the foster care program, and the authority for federal judges and prosecutors to carry firearms would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the costs of those mandates would be relatively small and far below the threshold established in UMRA.. The bill also would add requirements for state, local, and tribal governments to receive full funding from three existing grant programs to track sex offenders. Assuming appropriation of the estimated amounts, CBO estimates that over $900 million would be available for fiscal years 2006 through 2010 for those governments to meet the new requirements for tracking sex offenders and to participate in other grant programs. Any additional costs to those governments would be incurred voluntarily as a condition of receiving this federal aid.	and pass the bill, as amended Agreed to by voice vote.

		H.R. 4472 would impose private-sector mandates, as defined in UMRA, on individuals who have been convicted of or adjudicated for certain sex offenses, on individuals who have been arrested or detained for federal offenses, and on producers involved in interstate and foreign commerce of certain sexually explicit material. CBO estimates that the aggregate direct costs of the mandates would be not be large and would fall well below the annual threshold established by UMRA for private-sector mandates.	
H.R. 4954	**Security and Accountability For Every Port Act**	As ordered reported by the House Committee on Homeland Security on April 26, 2006 CBO estimates that H.R. 4954 would authorize the appropriation of $8.9 billion over the 2007-2011 period for Department of Homeland Security (DHS) programs to improve the security of U.S. ports, for the Domestic Nuclear Detection Office within DHS, and for the United States Coast Guard's integrated deepwater program (IDP). In addition, the bill would specifically authorize the appropriation of an additional $881million in 2012 for port security programs. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 4954 would cost $7.4 billion over the 2007-2011 period and additional spending of more than $2 billion after 2011. Enacting the bill could affect direct spending and receipts, but we estimate that any such effects would not be significant. H.R. 4954 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the costs to intergovernmental entities, including public ports, would total less than $10million annually, and would not exceed the threshold established in UMRA ($64 million in 2006, adjusted for inflation) H.R. 4954 would impose new private-sector mandates, as defined in UMRA, on owners and operators of maritime terminal facilities. CBO estimates that the direct cost of complying with those mandates would be small and would fall	**5/16/2006** Placed on Senate Legislative Calendar under General Orders. Calendar No. 432. **5/4/2006** Passed/agreed to in House: On passage Passed by recorded vote: 421 - 2 All VA Representatives voted in favor of this legislation **5/1/2006** Committee on Transportation discharged

		below the annual threshold for private-sector mandates .In addition, the bill would require the Secretary of DHS to review and issue certain regulations. Because those regulations have not been established, CBO cannot determine if additional mandates would be imposed. Therefore, CBO cannot determine whether the aggregate direct cost of complying with all of the private-sector mandates that may be imposed by the bill would exceed the annual threshold.	**4/28/2006** Reported (Amended) by the Committee.
H.R. 5122	**National Defense Authorization Act for Fiscal Year 2007**	H.R. 5122 would authorize appropriations totaling $506 billion for fiscal year 2007 for the military functions of the Department of Defense (DoD), for activities of the Department of Energy (DOE), and for other purposes. That total includes $50 billion for military operations in Iraq and Afghanistan. The bill also would authorize an estimated $68 billion in 2006 supplemental appropriations for those operations to pay for additional costs not covered by appropriations provided earlier in the year. In addition, H.R. 5122 would prescribe personnel strengths for each active-duty and selected reserve component of the U.S. armed forces. CBO estimates that appropriation of the authorized amounts would result in additional outlays of $569 billion over the 2006-2011 period. Including outlays from funds previously appropriated, spending for defense programs authorized by the bill would total about $529 billion in 2007, CBO estimates. (By comparison, CBO estimates that such spending will total about $517 billion in 2006, assuming appropriation of pending supplemental appropriations.) The bill also contains provisions that would both increase and decrease costs of discretionary defense programs over the 2008-2011 period. Most of those provisions would affect DoD force structure or would provide added compensation, benefits, or health care coverage to members of the armed forces. Provisions affecting force structure would lower costs by several billion dollars annually beginning in 2008. Certain other provisions—primarily those related to compensation and health care benefits—would each raise costs by several hundred million dollars to nearly $1 billion annually during the 2008-2011	**6/22/2006** Resolving differences / Conference -- Senate actions: Senate insists on its amendment, asks for a conference, appoints conferees. **6/22/2006** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent. **5/11/2006** Passed/agreed to in House: On passage Passed by recorded vote: 396 - 31 All VA Rep.'s voted in favor of this

		period. The bill contains provisions that would both increase and decrease direct spending, primarily from an expansion of authorities relating to military housing, changes in health care benefits for certain military retirees, and from the sale of materials held in the National Defense Stockpile. We estimate that those provisions combined would decrease direct spending by $11 million over the 2007-2011 period but have no net effect on such spending over the 2007-2016 period. Those totals include estimated net receipts from asset sales of $280 million over the 2007-2016 period. (Asset sale receipts are a credit against direct spending.) In addition, enacting the bill would reduce federal revenues by an estimated $3 million over the 2007-2011 period and by $21 million through 2016. H.R. 5122 contains both intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). It would prohibit employers and other providers of group health coverage from offering incentives to military retirees and their dependents to decline enrollment in the group health plan in favor of relying on the DoD TRICARE program as the primary source of health coverage. It also would increase the maximum number of days that some reservists could be called to active duty. Both the prohibition and the extension would be intergovernmental and private-sector mandates as defined in UMRA. CBO estimates that the costs of those mandates would likely fall below the threshold for intergovernmental mandates but would exceed the threshold for private-sector mandates ($64 million for intergovernmental mandates in 2006 and $128 million for private-sector mandates in 2006, adjusted annually for inflation).	legislation **5/5/2006** Reported (Amended) by the Committee on Armed Services.
H.R. 5252	**Communications Opportunity,**	H.R. 5252 would allow providers of cable service to apply to the Federal Communications Commission (FCC) for a national franchise. National franchises would be substitutes for separate, negotiated agreements with states	**6/28/2006** Senate committee/subcomm

	Promotion, and Enhancement Act of 2006	and localities regarding the provision of cable service to a local area. The bill also would require providers of Internet-based telephone service known as Voice-over-Internet-Protocol (VOIP) to provide access to emergency 911 telephone service. Finally, H.R. 5252 would require the FCC to conduct several studies related to telecommunications services. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 5252 would cost less than $500,000 in 2006 and about $7 million over the 2006-2011 period. Enacting the bill would not have a significant effect on direct spending or revenues. H.R. 5252 contains several intergovernmental mandates, as defined in the Unfunded Mandates Reform Act (UMRA). In particular, it would prohibit intergovernmental entities--primarily municipal governments--from charging certain fees to providers of cable service. The bill also would impose a variety of requirements and limitations on public safety access points (PSAPs). Further, the bill would preempt state laws that prohibit municipal governments from providing Internet access services and, if area cable providers receive a national franchise, would preempt state and local laws that address consumer protection, cable franchises, and the use of municipal rights-of-way. CBO estimates that the net direct costs of these mandates on state and local governments would grow over time, and would likely fall between $100 million and $350 million by 2011. Such losses would exceed the threshold established in UMRA in at least one of the first five years the mandates are in effect. Other impacts of the bill include potential losses to intergovernmental entities of in-kind support from cable franchisees. H.R. 5252 also would impose private-sector mandates as defined by UMRA on broadband service providers, and on private entities that own 911 components necessary to transmit VOIP emergency 911 services over their networks. Based on information from government and industry sources CBO estimates that the	ittee actions: Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably. **6/8/2006** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 321 – 101. Rep.'s Boucher, Cantor, J. Davis, T. Davis, Forbes, Goodlatte, Moran, and Wolfe voted in favor of this legislation Rep.'s Goode and Scott opposed this legislation **6/6/2006** Supplemental report filed by the

		costs of complying with those mandates would fall below the annual threshold established by UMRA for private-sector mandates ($128 million in 2006, adjusted annually for inflation)	Committee on Energy and Commerce. **5/17/2006** Reported by the Committee on Energy and Commerce.
S. 2611	**Comprehensive Immigration Reform Act of 2006**	The Comprehensive Immigration Reform Act of 2006 would amend laws governing immigration, authorize numerous initiatives to improve enforcement of those laws, and increase the limits on legal immigration. Implementing those changes would increase both direct spending (i.e., mandatory spending) and discretionary spending (i.e., spending subject to annual appropriation action). S. 2611 also would affect federal revenues, directly through enactment of the bill's provisions, by increasing the size of the labor force, and through other effects of the legislation on the U.S. economy. CBO and the Joint Committee on Taxation (JCT) estimate that enacting this legislation would increase direct spending by $13 billion over the 2007-2011 period and by $54 billion over the 2007-2016 period. Pursuant to section 407 of H. Con. Res. 95 (the Concurrent Resolution on the Budget, Fiscal Year 2006), CBO estimates that enacting S. 2611 would cause an increase in direct spending greater than $5 billion in each of the 10-year periods between 2016 and 2055. JCT and CBO estimate that the bill would increase total federal revenues by about $66 billion over the 2007-2016 period. Assuming appropriation of the amounts authorized in the bill, discretionary spending would increase by $25 billion over the 2007-2011 period. S. 2611 would impose intergovernmental mandates, as defined in the Unfunded Mandates Reform Act (UMRA), because it would preempt state and local authority and require state, local, and tribal governments to verify the work	**5/25/2006** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 62 - 36. Sen. Allen voted against this legislation Sen. Warner voted in favor of this legislation.

		eligibility of employees. CBO estimates that the cost, if any, of complying with the preemptions would be small. The cost of complying with the requirements to verify work eligibility would depend on regulations to be developed by the Department of Homeland Security (DHS). Depending on which employers the Secretary of DHS designated as "critical," the costs to state, local, and tribal governments would range from $30 million to $85 million in the first year the requirements were in effect. Until that designation is made, CBO cannot determine whether the costs to state, local, and tribal governments would exceed the annual threshold established in UMRA. S. 2611 would impose private-sector mandates, as defined in UMRA, on employers and other entities that hire, recruit, or refer individuals for employment. The mandates would require certain critical employers to verify the employment eligibility of their current employees and would require all employers and certain other entities to verify the employment eligibility of new hires and maintain records of the verifications. Based on the large number of projected new hires that employers and other entities would be required to verify annually under the bill, CBO expects that the aggregate direct costs to comply with those mandates would exceed the annual threshold for private-sector mandates .in at least one of the first five years the mandates would be in effect.	
S. 2766	**National Defense Authorization Act for Fiscal Year 2007**	S. 2766 would authorize appropriations totaling $509 billion for fiscal year 2007 for the military functions of the Department of Defense (DoD), for activities of the Department of Energy (DOE), and for other purposes. That total includes $50 billion for military operations in Iraq and Afghanistan. The bill also would authorize an estimated $68 billion in supplemental appropriations for 2006, primarily for the costs of those operations not covered by appropriations provided earlier in the year. (A supplemental appropriations act to provide that amount has been passed by the Senate, but as of this date, that legislation has not yet been enacted into law.) In addition, S. 2766 would prescribe personnel strengths for each active-duty and selected reserve component of the U.S. armed forces. CBO estimates that appropriation of the authorized amounts would result	**6/29/2006** Held at the desk. **6/22/2006** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 96 - 0. Sen.'s Allen and

		in additional outlays of $572 billion over the 2006-2011 period. Including outlays from funds previously appropriated, spending for defense programs authorized by the bill would total about $530 billion in 2007, CBO estimates. (By comparison, CBO estimates that such spending will total about $518 billion in 2006, assuming appropriation of pending supplemental appropriations.) The bill also contains provisions that would both increase and decrease costs of discretionary defense programs over the 2008-2011 period. Most of those provisions would affect DoD force structure or would provide added compensation, benefits, or health care coverage to members of the armed forces. Provisions affecting force structure would lower costs by several billion dollars annually beginning in 2008. Certain other provisions—primarily those related to compensation and health care benefits—would increase costs between $1 billion and $2 billion annually. The bill contains provisions that would both increase and decrease direct spending, primarily by expanding DoD's ability to use third-party financing for the construction of military housing and through changes to survivor benefits and TRICARE. We estimate that those provisions combined would increase direct spending by $1.4 billion over the 2007-2011 period and by $2.0 billion over the 2007-2016 period. In addition, enacting the bill would decrease federal revenues by an estimated $1 million over the 2007-2016 period. Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provisions that enforce the constitutional rights of individuals. CBO has determined that section 1042 would fall within that exclusion because it would expand the authority of the President to employ the armed service to protect individuals' civil rights. Therefore, CBO has not reviewed that section of the bill for mandates. Other sections of S. 2766 contain both intergovernmental and private-sector mandates as defined in UMRA. It would prohibit employers and other providers of group health coverage from offering incentives to military retirees and their dependents to decline enrollment in the group health plan in	Warner both voted in favor of this legislation **5/9/2006** Committee on Armed Services. Original measure reported to Senate by Senator Warner

		favor of relying on DoD's TRICARE health program as the primary source of health coverage. CBO estimates that the costs of that mandate for state and local governments would likely fall below the threshold for intergovernmental mandates but that the costs to private employers would likely exceed the threshold for private-sector mandates This bill contains several provisions that would benefit state and local governments. Some of those provisions would authorize aid for certain local schools with dependents of defense personnel and convey of certain parcels of land to state and local governments. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.	

Part III - Federal Regulatory Mandates

The Regulatory Information Service Center of the General Services Administration identified **fifty-four (54)** completed federal regulatory actions that may affect the states. The following forty-nine (49) may mandate specific requirements on the Commonwealth

TITLE: Methyl Bromide; Authorization as Official Quarantine Use
REGULATORY IDENTIFICATION NUMBER (RIN): 0579-AB54
ABSTRACT: This rule would establish regulations to provide for the submission of requests by State, local, or tribal authorities for a determination whether methyl bromide treatments or applications required by the State, local, or tribal authorities to prevent the introduction, establishment, or spread of plant pests (including diseases) or noxious weeds should be authorized as official quarantine uses. The regulations are necessary to comply with a recent amendment to the Plant Protection Act that requires the Secretary to publish and maintain a registry of authorized State, local, and tribal requirements for methyl bromide treatments or applications. The rule would establish a process by which State, local, or tribal authorities could request and, if warranted, receive, authorization for their methyl bromide requirements as official quarantine uses.

TITLE: Severe Need Assistance in the School Breakfast Program
REGULATORY IDENTIFICATION NUMBER (RIN): 0584-AD50
ABSTRACT: Currently, in order to receive the higher severe need School Breakfast Program reimbursements, schools must have served 40 percent + of their lunches free or at a reduced price in the second preceding year and must document their costs. They receive the lesser of their documented costs or the severe need rate. In response to Public Law 108-265, which amended the Child Nutrition Act of 1966, 7 CFR 220, the School Breakfast Program's regulations will be revised to remove the requirement to document costs. This law was also revised to require that the Secretary determine how schools without a 2nd preceding year history may qualify for severe need reimbursements. (04-008)

TITLE: Implementing Provisions from the Child Nutrition and WIC Reauthorization Act of 2004: Increasing the Maximum Age for Children in Homeless Shelters That Participate in the CACFP
REGULATORY IDENTIFICATION NUMBER (RIN): 0584-AD56
ABSTRACT: This rule will implement a provision of the Child Nutrition and WIC Reauthorization Act of 2004 that authorizes the reimbursement of CACFP meals served to children through age 18 who are residing in emergency shelters. Previously, CACFP reimbursements to emergency shelters were limited to meals served to children through age 12. (04-014)

TITLE: National School Lunch Program: Marketing and Sales of Fluid Milk Products in Schools
REGULATORY IDENTIFICATION NUMBER (RIN): 0584-AD57
ABSTRACT: Public Law 108-265 amended the Richard B. Russell National School Lunch Act to prohibit schools from entering into contracts that directly or indirectly restrict the sale or marketing of

fluid milk products on school premises or at school sponsored events at any time or any place. This amendment was in response to procurement contracts that limited the types of products that schools could sell outside of the reimbursable meal programs. This rule would incorporate that requirement into the regulations governing the National School Lunch Program. (04-015)

TITLE: Revision of American Lobster Regulations for the EEZ
REGULATORY IDENTIFICATION NUMBER (RIN): 0648-AP18
ABSTRACT: In accordance with the Atlantic Coastal Fisheries Cooperative Management Act (Act), 16 U.S.C. 5101 et seq., NMFS announces that it is considering, and seeking public comment on, revisions to Federal American lobster regulations for the Exclusive Economic Zone in response to recommendations from the Atlantic States Marine Fisheries Commission to NMFS in Addenda II and III to Amendment 3 to the Interstate Fishery Management Plan (ISFMP) for American Lobster. This action would develop regulations relative to Addendum III to the ISFMP, and combine those with Addendum II (ANPRM and NOI published May and September of 2001, respectively) into a single environmental impact statement. Addendum II management measures would include minimum gauge size increases in five of the seven Lobster Conservation Management Areas (LCMA), lobster trap gear modifications, a 4-year lobster trap reduction schedule for LCMA 3, and a logbook requirement for LCMA 3 lobster vessels. Addendum III would further modify Addendum II's gauge increase schedule and include new management measures for the majority of the LCMAs.

TITLE: List of Fisheries for 2005
REGULATORY IDENTIFICATION NUMBER (RIN): 0648-AS78
ABSTRACT: With this action, NMFS publishes the annual List of Fisheries (LOF), as required by section 118 of the Marine Mammal Protection Act (MMPA). The proposed LOF for 2005 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must categorize each commercial fishery on the LOF into one of three categories under the MMPA based upon the levels of mortality and serious injury of marine mammals that occurs within each fishery. The categorization of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

TITLE: Specifications for the 2006 Atlantic Bluefish Fishery
REGULATORY IDENTIFICATION NUMBER (RIN): 0648-AT20
ABSTRACT: This action would implement specifications for the 2006 fishing year for the Atlantic bluefish fishery.

TITLE: Fisheries of the Northeastern United States; Atlantic Bluefish and Summer Flounder Fisheries; State Quota Transfers and Combinations
REGULATORY IDENTIFICATION NUMBER (RIN): 0648-AT50
ABSTRACT: This action would amend the regulations implementing the Fishery Management Plan (FMP) for the bluefish fishery and the FMP for the summer flounder, scup, and black sea bass fisheries. This rule would make administrative changes that would allow NMFS to process state quota transfer and combination requests submitted through the end of the fishing year for the bluefish and summer flounder fisheries, i.e., December 31. The

intent is to provide flexibility and efficiency to the management of the commercial bluefish and summer flounder fisheries.

TITLE: Medicare Outcome and Assessment Information Set (OASIS) Data Reporting Requirements (CMS-3006-F)
REGULATORY IDENTIFICATION NUMBER (RIN): 0938-AJ10
ABSTRACT: This final rule requires home health agencies to electronically report OASIS data as a condition of participation in the Medicare program.

TITLE: Federal Enforcement in Group and Individual Health Insurance Markets (CMS-4091-F)
REGULATORY IDENTIFICATION NUMBER (RIN): 0938-AN35
ABSTRACT: This rule finalizes, without any substantive changes, an August 20, 1999 interim final regulation that sets forth the process by which CMS enforces the HIPAA title I requirements with regard to State and local governmental group health plans. It also finalizes the process by which CMS assumes direct enforcement responsibility in a State with regard to group and individual market health insurance issues.

TITLE: Electronic Prescribing
REGULATORY IDENTIFICATION NUMBER (RIN): 0938-AN49
Standards (CMS-0011-F)
ABSTRACT: This final rule requires Medicare part D plans and Medicare Advantage Plans to enable transmission of basic prescription data to, and from, doctors and pharmacies, and adopts a number of the initial standards required for electronic prescribing by section 1860(d) of the Medicare Modernization Act.

TITLE: Migratory Bird Hunting; Approval of Four Shot Types or Alloys as Nontoxic
REGULATORY IDENTIFICATION NUMBER (RIN): 1018-AU04
ABSTRACT: We received applications for approval of tungsten-iron-copper-nickel shot, iron-tungsten-nickel alloy, tungsten-bronze (additional formulation) shot, and tungsten-tin-iron shot as nontoxic for waterfowl hunting. We are obligated under regulations at 50 CFR 20.134 to consider all such applications.

TITLE: Hydropower Licensing Hearings Process
REGULATORY IDENTIFICATION NUMBER (RIN): 1094-AA51
ABSTRACT: This rule implements the requirement in section 261 of the Energy Policy Act of 2005 that Interior, Commerce, and Agriculture publish a joint rule to provide for trial-type hearings on disputed issues of material fact relating to conditions and prescriptions to be included in hydropower licenses under the Act.

TITLE: Attestations by Facilities Temporarily Employing H-1C Nonimmigrant Aliens as Registered Nurses
REGULATORY IDENTIFICATION NUMBER (RIN): 1205-AB27
ABSTRACT: The Nursing Relief for Disadvantaged Areas Act of 1999 (Pub L. 106-95; November 12, 1999) amended the Immigration and Nationality Act to create a temporary visa program for nonimmigrant aliens to work as registered nurses for up to three years in facilities serving health professional shortage areas, subject to certain conditions. The NRDAA specified that the H-1C visas were available only during the four-year period beginning on the date that interim or final regulations were promulgated. Interim rules became effective

on September 21, 2000 and the H-1C program sunset on September 20, 2004. Because health care facilities cannot sponsor new H-1C visas and no new H-1C visas can be issued, the Department has determined that continued rulemaking is neither necessary nor appropriate and withdraws this entry from the agenda. The Department will remove the H-1C regulations when there are no valid H-1C visas remaining.

TITLE: Occupational Exposure to Hexavalent Chromium (Preventing Occupational Illness: Chromium)
REGULATORY IDENTIFICATION NUMBER (RIN): 1218-AB45
ABSTRACT: In July 1993, the Occupational Safety and Health Administration (OSHA) was petitioned for an emergency temporary standard (ETS) to reduce the permissible exposure limit (PEL) for occupational exposures to hexavalent chromium (CrVI). The Oil, Chemical, and Atomic Workers International Unions (OCAW) and Public Citizen's Health Research Group (HRG) petitioned OSHA to promulgate an ETS to lower the PEL for CrVI compounds to 0.5 micrograms per cubic meter of air (ug/m3) as an eight-hour, time-weighted average (TWA). The current PEL in general industry is a ceiling value of 100 ug/m3, measured as CrVI and reported as chromic anhydride (CrO3). The amount of CrVI in the anhydride compound equates to a PEL of 52 ug/m3. The ceiling limit applies to all forms of CrVI, including chromic acid and chromates, lead chromate, and zinc chromate. The current PEL of CrVI in the construction industry is 100 ug/m3 as a TWA PEL, which also equates to a PEL of 52 ug/m3. After reviewing the petition, OSHA denied the request for an ETS and initiated a section 6(b)(5) rulemaking.
OSHA began collecting data and performing preliminary analyses relevant to occupational exposure to CrVI. However, in 1997, OSHA was sued by HRG OCAW for unreasonable delay in issuing a final CrVI standard. The 3rd Circuit, U.S. Court of Appeals ruled in OSHA's favor and the Agency continued its data collection and analytic efforts on CrVI. In 2002, OSHA was sued again by HRG and Paper, Allied-International, Chemical and Energy Workers International Union (PACE) for continued unreasonable delay in issuing a final CrVI standard. In August, 2002 OSHA published a Request for Information on CrVI to solicit additional information on key issues related to controlling exposures to CrVI and on December 4, 2002, OSHA announced its intent to proceed with developing a proposed standard. On December 24, 2002, the 3rd Circuit, U.S. Court of Appeals ruled in favor of HRG and ordered the Agency to proceed expeditiously with a CrVI standard. OSHA published a notice of proposed rulemaking on CrVI on October 4, 2004. Public hearings were held February 1-15, 2005. A post-hearing comment period, established by the Administrative Law Judge, closed on April 20, 2005. After a review of the record and consideration of all comments and data submitted in response to the proposal of October 4, 2004, OSHA published a final CrVI standard on February 28, 2006. The final CrVI standard sets a new permissible exposure limit of 5 ug/m3 as a TWA for all CrVI compounds and covers general industry, construction and shipyards.

TITLE: Uniformed Services Employment and Reemployment Rights Act Regulations
REGULATORY IDENTIFICATION NUMBER (RIN): 1293-AA09
ABSTRACT: The Secretary's commitment to protecting the employment rights of service members as they return to the civilian work force is reflected by the

initiative to promulgate regulations implementing the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) with regard to States, local governments and private employers. USERRA provides employment and reemployment protections for members of the uniformed services, including veterans and members of the Reserve and National Guard. The Department has not previously issued implementing regulations under USERRA, although the law dates back to 1994.

TITLE: Notice of Rights, Benefits, and Obligations under the USERRA
REGULATORY IDENTIFICATION NUMBER (RIN): 1293-AA14
ABSTRACT: The Veterans Benefits Improvement Act of 2004(VBIA) amended several provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). VBIA imposed a new requirement that each employer shall provide to persons entitled to rights and benefits under USERRA a notice of the rights, benefits, and obligations of such persons and such employers under USERRA. The VBIA requires the Secretary of Labor to make available to employers the text of the required notice not later than March 10, 2005, ninety days after the enactment of the VBIA.

TITLE: Hague Intercountry Adoption Convention Implementation
REGULATORY IDENTIFICATION NUMBER (RIN): 1400-AA88
ABSTRACT: Regulations will implement accreditation aspects of the Hague Convention for the Protection of Children and Cooperation in Respect of Intercountry Adoption and its implementing legislation.

TITLE: Exchange Visitor Program; Professor and Research Scholars
REGULATORY IDENTIFICATION NUMBER (RIN): 1400-AC01
ABSTRACT: This rule amends Department regulations set forth at 22 CFR 62.20 by extending the duration of program participation for professors and research scholars from the current 3 years to 5 years.

TITLE: Withholding of District of Columbia, State, City, and County Income or Employment Taxes by Federal Agencies
REGULATORY IDENTIFICATION NUMBER (RIN): 1510-AB06
ABSTRACT: This regulatory action revises the name and address of the office within the Department of the Treasury (Treasury) which will correspond with government entities requesting a tax withholding agreement with Treasury.

TITLE: Sickness or Accident Disability Payments
REGULATORY IDENTIFICATION NUMBER (RIN): 1545-BC89
ABSTRACT: The regulation provides guidance regarding the treatment of payments made on account of sickness or accident disability under a workers' compensation law for purposes of the Federal Insurance Contributions Act (FICA).

TITLE: Marine Casualties and Investigations; Chemical Testing Following Serious Marine Incidents (USCG-2001-8773)
REGULATORY IDENTIFICATION NUMBER (RIN): 1625-AA27
ABSTRACT: This project will revise the requirements for chemical testing following a serious marine incident. The revision will establish procedures to ensure that alcohol testing be conducted within two hours of a serious marine incident, as required by the Coast Guard Authorization Act of 1998. The

rule will also make additional minor procedural changes to the part. This rule supports the Coast Guard strategic goal of maritime safety.

TITLE: Rulemaking to Determine Whether the Energy Conservation Standards for Residential Water Heaters Should Be Amended
REGULATORY IDENTIFICATION NUMBER (RIN): 1904-AB48***Merged with RIN 1904-AA90
ABSTRACT: The Department is committed to becoming current on all energy standards rulemakings, including whether the current standards for residential water heaters should be amended.

TITLE: Rulemaking to Determine Whether the Energy Conservation Standards for Room Air Conditioners Should Be Amended
REGULATORY IDENTIFICATION NUMBER (RIN): 1904-AB51*** Merged With RIN 1904-AA89
ABSTRACT: The Department is committed to becoming current on all energy standards rulemakings, including whether the current standards for room air conditioners should be amended.

TITLE: Cross-Media Electronic Reporting (ER) and Recordkeeping Rule (CROMERRR)
REGULATORY IDENTIFICATION NUMBER (RIN): 2025-AA07
ABSTRACT: As proposed, the Cross-Media Electronic Reporting (ER) and Recordkeeping Rule (CROMERRR) was intended to provide a uniform legal framework for paperless electronic reporting and recordkeeping, including electronic signature/certification, across EPA's environmental compliance programs. Based on public comment, however, EPA now plans to focus on finalizing the electronic reporting components of proposed CROMERRR, and to defer further action on the electronic recordkeeping components until a later time. Under current plans, the final electronic reporting (ER) rule will address electronic reporting by companies regulated under all of EPA's programs: air, water, pesticides, toxic substances, wastes, and emergency response. The final rule would remove existing regulatory obstacles to electronic reporting, and it would set requirements for companies choosing to report electronically. In addition, the rule would set the conditions for allowing electronic reporting under State, tribal, or local environmental programs that operate under EPA authorization. The final ER rule is intended to make electronic reporting as simple, efficient, and cost-effective as possible for regulated companies, while ensuring that a transition from paper to electronic reporting does not compromise EPA's compliance and enforcement programs. Consequently, the Agency's strategy is to impose as few specific requirements as possible, and to keep those requirements neutral with respect to technology, so the rule will pose no obstacles to adopting new technologies as they emerge. To ensure that authorized programs at the State, tribal, and local levels meet EPA's electronic reporting goals, the final ER rule would specify a set of criteria that these programs must satisfy as they initiate electronic reporting. In response to public comments, EPA is also planning to include provisions for a streamlined process for EPA to review and approve authorized program revisions or modifications to allow electronic reporting.

TITLE: National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule

REGULATORY IDENTIFICATION NUMBER (RIN): 2040-AD37
ABSTRACT: The Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) will control risk from microbial pathogens, specifically Cryptosporidium, in drinking water. The rule was promulgated on January 5, 2006 (71FR654). It was developed simultaneously with the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR), which will address risk caused by the use of disinfectants in drinking water. This rule could affect all public water systems that use surface water as a source. Promulgating the LT2ESWTR and the Stage 2 DBPR as a paired rulemaking is necessary to ensure that adequate protection from microbial risk is maintained while EPA manages risk from disinfection byproducts. In developing the LT2ESWTR, EPA has analyzed a significant body of new survey data on microbial pathogens in source and finished waters, as well as data on parameters which could serve as indicators of microbial risk. This survey data, which was collected under the Information Collection Rule (ICR), Supplemental Surveys to the ICR, and additional research projects, has provided a substantially more comprehensive and complete picture of the occurrence of waterborne pathogens than was previously available. EPA has also used significant new data on the efficiency of treatment processes for the removal and inactivation of microorganisms, as well as new information on the pathogenicity of certain microbes, to determine effective regulatory requirements for controlling microbial risk. On March 30, 1999, EPA established a committee of stakeholders under the Federal Advisory Committee Act (FACA) to assist in the development of these rules; an agreement in principle was signed in September 2000 outlining the proposed rule options.

TITLE: National Primary Drinking Water Regulations: Stage 2 Disinfection Byproducts Rule
REGULATORY IDENTIFICATION NUMBER (RIN): 2040-AD38
ABSTRACT: This Regulation, along with a Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) that was promulgated simultaneously, is intended to expand existing public health protections and address concerns about risk trade-offs between pathogens and disinfection byproducts. The Stage 2 Disinfection Byproducts Rule (Stage 2 DBPR) was promulgated on January 4, 2006 (71 FR 388) and the LT2ESWTR was promulgated on January 5, 2006 (71 FR 654). This rule could affect all public water systems that add a disinfectant to the drinking water during any part of the treatment process, although the impacts may be limited to community water systems (CWSs) and non-transient non-community water systems (NTNCWSs). Promulgating the LT2ESWTR and the Stage 2 DBPR as a paired rulemaking was necessary to ensure that adequate protection from microbial risk is maintained while EPA manages risk from disinfection byproducts. In developing the Stage 2 DBPR, EPA analyzed a significant body of new survey data on source water quality parameters, treatment data and disinfection byproduct occurrence. This survey data, which was collected under the Information Collection Rule (ICR), Supplemental Surveys to the ICR, and additional research projects, provide a substantially more comprehensive and complete picture of the occurrence of DBPs and microbiological pathogens than was previously available. EPA also used new information on the health effects of exposure to DBPs to determine effective regulatory requirements for controlling risk. On March 30, 1999, EPA reconvened a committee of stakeholders under the Federal Advisory

Committee Act (FACA) to assist in the development of these rules; an Agreement in Principle was signed in September 2000 outlining the proposed rule options.

TITLE: RCRA Burden Reduction Initiative
REGULATORY IDENTIFICATION NUMBER (RIN): 2050-AE50
ABSTRACT: EPA is reducing the burden imposed by the RCRA reporting and recordkeeping requirements to help meet the Federal Government-wide goal established by the Paperwork Reduction Act (PRA). In June 1999, EPA published a Notice of Data Availability (NODA) in the Federal Register (64 FR 32859) to seek comment on a number of burden reduction ideas to eliminate duplicative and nonessential paperwork. After reviewing the comments received on the NODA, EPA proposed (67 FR 2518, 1/17/02) to implement many of these ideas. EPA issued a notice (68 FR 61662; 10/29/03) seeking further input on a number of changes we proposed. EPA has finalized this burden reduction effort.

TITLE: Standards and Practices for Conducting All Appropriate Inquiries
REGULATORY IDENTIFICATION NUMBER (RIN): 2050-AF04
ABSTRACT: The Small Business Liability Relief and Brownfields Revitalization Act (the "Brownfields Amendments") amended a number of provisions in CERCLA including section 101(35)(B) and includes, among other things, new provisions regarding CERCLA liability protections for certain landowners. As part of these provisions, the Brownfields Amendments require bona fide prospective purchasers, contiguous property owners, and innocent landowners to conduct "all appropriate inquiries" into prior ownership and use of the property at the time the party acquires the property. In the Brownfields Amendments, Congress directed EPA to promulgate regulations establishing standards and practices for conducting "all appropriate inquiries." Section 101 (35)(B)(iii) of CERCLA, as amended, includes criteria that EPA is required to address in setting these standards and practices. This regulation established the federal standards for conducting "all appropriate inquiries," pursuant to the statute. Recipients of Brownfields Assessment Grants awarded under section 104(k)(2)(B) of CERCLA also are regulated by the final action. Purchasers of contaminated properties seeking any of the protections from CERCLA liability are required to follow the promulgated procedures and standards.

TITLE: SPCC - Extension of Compliance Dates
REGULATORY IDENTIFICATION NUMBER (RIN): 2050-AG28
ABSTRACT: EPA is extending the dates by which facilities must prepare or amend Spill Prevention, Control, and Countermeasure Plans (SPCC Plans), and implement those Plans. This action would allow the Agency time to promulgate revisions to the July 17, 2002 final SPCC rule before owners and operators are required to meet requirements of that rule related to preparing or amending, and implementing SPCC Plans. The compliance dates are being changed from February 17, 2006 to October 31, 2007.

TITLE: NESHAP for Hazardous Waste Combustors (Amendments)
REGULATORY IDENTIFICATION NUMBER (RIN): 2050-AG30
ABSTRACT: EPA issued a rule to clarify the NESHAP for hazardous waste combustors rule signed October 12, 2005. In the October 12, 2005 rule, EPA inadvertently included three new or revised

bag leak detection system requirements for some hazardous waste combustors—incinerators, cement kilns, and lightweight aggregate kilns—among implementation requirements taking effect on December 12, 2005, rather than the intended compliance date of three years after promulgation—October 14, 2008. The provisions establish more stringent requirements for these hazardous waste combustor sources which cannot readily be complied with on short notice and are inextricably tied to the revised emissions standards (which also take effect in 2008).

TITLE: NSPS and Emission Guidelines for Other Solid Waste Incinerators
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AG31
ABSTRACT: Section 129 of the Clean Air Act requires the EPA to promulgate New Source Performance Standards (NSPS) for new sources and Emission Guidelines (EG) for existing sources for solid waste incinerators. On November 30, 2005, EPA finalized rules to reduce emissions from the category of incinerators known as "other solid waste incinerators" (OSWI). OSWI consists of two classes of incinerators: (1) institutional waste incinerators and (2) very small municipal waste combustors. Institutional waste incinerators are located at institutions (e.g., public or private school; college or university; church or civic organization; fire or police department; town, city, county, State or Federal government; etc.) which burns waste generated at that institution. Very small municipal waste combustors are incinerators which burn less than 35 tons per day of municipal solid waste. Municipal solid waste is non-hazardous solid waste or refuse collected from residential, commercial, institutional, and industrial sources. The final rules regulate particulate matter, sulfur dioxide, hydrogen chloride, nitrogen oxides, carbon monoxide, lead, cadmium, mercury, dioxins, as well as opacity.

TITLE: Performance Specification 16 - Specifications and Test Procedures for Predictive Emission Monitoring Systems in Stationary Sources
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AH84
ABSTRACT: Performance Specification 16 is being proposed to provide performance criteria for predictive emission monitoring systems. Predictive systems represent a new technology that uses process information or parameters to predict pollutant emissions instead of directly measuring them. The Agency is allowing their use in recently-promulgated rules and they are being considered by a number of regulated facilities. The specification lists the requirements for acceptable systems that are met by passing tests that compare the monitoring system with standardized methods and audit gases to determine system accuracy and stability. Performance Specification 16 will primarily apply to facilities whose emissions can be predicted from process parameters such as combustion processes (including gas turbines and internal combustion engines).

TITLE: Revision to the Guideline on Air Quality Models (Appendix W to 40 CFR Part 51): Adoption of a Preferred General Purpose (Flat and Complex Terrain) Dispersion Model and Other Revisions
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AK60
ABSTRACT: This action would revise the Guideline on Air Quality Models, published as appendix W to 40 CFR part 51. The Guideline provides EPA-recommended models for use in predicting ambient concentrations of pollutants for programs ranging from Prevention of Significant

Deterioration (PSD) to State Implementation Plans (SIPs) for controlling air pollution sources. The Guideline fulfills a Clean Air Act mandate for EPA to specify models for air management purposes. This revision would enhance the Guideline by incorporating a new, general-purpose dispersion model called AERMOD, which would replace the existing Industrial Source Complex (ISC3) model in many air-quality assessments, including those involving complex terrain. An earlier version of the AERMOD revision was previously proposed (65 FR 21505, 4/21/2000; see SAN 3470), but not promulgated. In response to public comments received on the April 2000 proposal, we integrated the PRIME downwash algorithm and made other incidental modifications, creating AERMOD(02222). On September 8, 2003, we issued a Notice of Data Availability (NDA) to announce the AERMOD revisions, and to reveal new performance data. Public comments taken for 30 days have now been summarized and Agency responses have been developed that support the intended action.

TITLE: Revision to Policy on Control of Volatile Organic Compounds (VOC)
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AK75
ABSTRACT: EPA is considering the proposal of revisions to its policy on control of volatile organic compounds (VOC), including the use of photochemical reactivity in controlling VOCs. As a first step, an ANPRM may be issued soliciting public comment on various policy options. Subsequent steps could range from taking no further action to publishing a policy statement in the Federal Register. The ANPRM is to announce that EPA is considering revision of its VOC policy which appeared in the July 8, 1977 Federal Register (42 FR 35314) under the title "Recommended Policy on Control of Volatile Organic Compounds." That policy statement gave a broad description about how EPA would approach VOC control. This policy also said that we would be exempting certain organic compounds from control in volatile organic compound regulations (to meet ozone ambient air quality limits) due to these compounds having very low ozone forming potential. A list of exempt compounds was later codified in the definition of VOC at 40 CFR 51.100(s) which was adopted on February 3, 1992 (57 FR 3941) for use in State Implementation Plans. The ANPRM will ask for public comments on various approaches EPA may use in the future to take photochemical reactivity into account in controlling VOCs. The ANPRM could lead to a policy statement, such as the 1977 policy statement, which would give a broad outline of the new approach EPA would take in the future. This would not be a rulemaking, but the revised policy could lead to new rules being adopted still further in the future. (Any such rules would be separately noticed in the Regulatory Agenda.) For example, the ANPRM could eventually lead to a revision of the definition of VOC at 40 CFR 51.100(s). Alternatively, EPA may go directly to a proposed revision of policy.

TITLE: Deferral of Effective Date of Non-attainment Designations for 8-hour Ozone National Ambient Air Quality Standards for Early Action Compact Areas
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AL85
ABSTRACT: EPA is proposing to defer the effective date of non-attainment air quality designations for "Early Action Compact Areas" that are violating the 8-hour ozone national ambient air quality standard, but have agreed to reduce ground-level ozone

pollution earlier than the Clean Air Act requires. This proposal establishes the last of three dates by which EPA would defer the effective date of non-attainment designations for any of these areas that continues to meet all compact milestones. In a separate action, EPA designated these areas "non-attainment" by April 15, 2004; however, as long as Early Action Compact areas meet agreed-upon milestones, we will defer one last time the impact of non-attainment designation for the 8-hour ozone standard until April 15, 2008.

TITLE: Exemption of Certain Area Sources from Title V Operating Permit Programs
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AM31
ABSTRACT: This action implements the Agency's decision on whether to require title V permits for six area (non-major) sources subject to air toxic requirements under Clean Air Act. The affected source categories are: dry cleaners, halogenated solvent degreasers, chrome plating, ethylene oxide sterilizers, secondary lead, and secondary aluminum. Under the Act, these sources are subject to operating permit programs; however, EPA may exempt them from such programs if it finds that permitting would be impracticable, infeasible, or unnecessarily burdensome on the sources. This action makes these findings for all categories except secondary lead. Secondary lead would remain subject to permitting because few area sources are affected and most have already been permitted.

TITLE: NESHAP: Industrial, Commercial, and Institutional Boilers and Process Heaters; Reconsideration Notice
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AM97
ABSTRACT: On September 13, 2004, EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for industrial, commercial, and institutional boilers and process heaters. The final rule (subpart DDDDD) contains health-based compliance alternatives based on authority under sections 112(d)(4) of the Clean Air Act (CAA). The methodology and criteria for affected sources to use in demonstrating that they are eligible for the compliance alternatives were promulgated in appendix A to subpart DDDDD. Affected sources demonstrating that they are eligible for the health-based compliance alternatives are not required to demonstrate compliance with the hydrogen chloride (HCl) emission limit and/or may demonstrate compliance with the total selected metals (TSM) emission limit based on the sum of emissions for seven metals by excluding manganese emissions. Following promulgation of the final rule, the Natural Resources Defense Council (NRDC) and Environmental Integrity Project (EIP) filed a petition for reconsideration. The petition requested reconsideration of seven aspects of the final rule. With the exception of the petitioners' issue with adoption of numerous "no control" standards in subpart DDDDD, all of the petitioners' issues relate to the health-based compliance alternatives in the final rule. The petitioners stated that reconsideration of the issues is appropriate because the issues could not have been practicably raised during the public comment period. The petition for reconsideration also requested a stay of the effectiveness of the health-based compliance alternatives. On June 27, 2005, we granted the petition and requested public comment on certain aspects of the health-based compliance alternatives. We requested comment on the approach used to demonstrate eligibility for the health-based compliance alternatives, as outlined in

appendix A of the final rule, and on an issue related to the inclusion of manganese in the health-based compliance alternative provisions. We did not request comments on any other provisions of the final rule. The petitioners also requested that we stay the effectiveness of the health-based compliance provisions of the final rule, pending reconsideration of those provisions. We did not grant that request. After reviewing the public comment received, we are retaining the health-based compliance alternatives in the final rule.

TITLE: PM 2.5 & PM10 Hot-Spot Analyses in Transportation Conformity Rule Amendments
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AN02
ABSTRACT: This action would promulgate a supplemental NPRM that was proposed under the SAN number 4811, which is an amendment to the existing transportation conformity rule. The transportation conformity rule ensures that transportation planning is consistent with a State's plans for achieving the air quality standards. The SAN 4811 amendments to the existing transportation conformity rule are necessary as a result of the new 8-hour ozone and PM2.5 air quality standards. The main issues that will be addressed in these amendments are the regional emissions tests that apply before new SIPs are submitted and which particulate matter provisions of the rule apply to PM2.5. The current action, SAN 4811.1, will promulgate the aforementioned SAN 4811 supplemental NPRM.

TITLE: Implementation Rule for 8-Hour Ozone NAAQS--Phase 2
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AN23
ABSTRACT: This rule would provide specific requirements for State and local air pollution control agencies and tribes to prepare State Implementation Plans (SIPs) and Tribal Implementation Plans (TIPs) under the 8-hour national ambient air quality standard (NAAQS) for ozone, published by EPA on July 18, 1997. The Clean Air Act (CAA) requires EPA to set ambient air quality standards and requires States to submit SIPs to implement those standards. The 1997 standards were challenged in court, but in February 2001, the Supreme Court determined that EPA has authority to implement a revised ozone standard, but ruled that EPA must reconsider its implementation plan for moving from the 1-hour standard to the revised standard. The Supreme Court identified conflicts between different parts of the CAA related to implementation of a revised NAAQS, provided some direction to EPA for resolving the conflicts, and left it to EPA to develop a reasonable approach for implementation. Thus, this rulemaking must address the requirements of the CAA and the Supreme Court's ruling. This rule would provide detailed provisions to address the CAA requirements for SIPs and TIPs and would thus affect States and tribes. States with areas that are not attaining the 8-hour ozone NAAQS will have to develop -- as part of their SIPs -- emission limits and other requirements to attain the NAAQS within the timeframes set forth in the CAA. Tribal lands that are not attaining the 8-hour ozone standard may be affected, and could voluntarily submit a TIP, but would not be required to submit a TIP. In cases where a TIP is not submitted, EPA would have the responsibility for planning in those areas.

TITLE: Findings of Failure to Submit Required State Implementation Plans for Phase II of the NOx SIP Call
REGULATORY IDENTIFICATION NUMBER (RIN): 2060-AN56

ABSTRACT: The EPA is taking final action making findings, under the Clean Air Act (CAA), that Indiana, Illinois, Kentucky, Michigan, and Virginia failed to make complete State Implementation Plan (SIP) submittals required under the CAA. Under the CAA and Phase II of EPA's nitrogen oxides (NOx) SIP Call regulations, these States were required to submit SIP measures providing for reductions in the emissions of NOx, an ozone precursor. Publication of this notice defines the start of a clock for EPA to develop a Federal implementation plan under section 110(c) of the Clean Air Act.

TITLE: Pesticides; Emergency Exemption Process Revisions
REGULATORY IDENTIFICATION NUMBER (RIN): 2070-AD36
ABSTRACT: EPA regulations under section 18 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) allow a Federal or State agency to apply for an emergency exemption to allow an unregistered use of a pesticide for a limited time when such use is necessary to alleviate an emergency condition. This action will revise the regulations to improve the pesticide emergency exemption process. Two of these potential improvements are currently being tested through a limited pilot, and are based on recommendations from the States which are the primary applicants for emergency exemptions. The proposed revisions would streamline the application and review process, thereby reducing the burden to applicants and EPA, while allowing for quicker emergency response without compromising existing protections for human health and the environment.

TITLE: TSCA Compliance Monitoring Grant Regulation Amendment
REGULATORY IDENTIFICATION NUMBER (RIN): 2070-AJ24
ABSTRACT: This action is to revise the Toxic Substances Control Act (TSCA) Compliance Monitoring Grant Regulation, 40 CFR 35.312 by deleting the reference to a competitive process. This action will be filed as a direct final rule. The language in the regulation currently reads " EPA will award TSCA compliance monitoring grant funds to States through a competitive process in accordance with the national program guidance." This regulation will be revised by deleting the phrase "through a competitive process" from the regulation. The action is necessary to reflect how TSCA compliance monitoring grants funding States with PCB and asbestos compliance monitoring programs are managed.

TITLE: Protection of Sensitive Security Information (SSI)
REGULATORY IDENTIFICATION NUMBER (RIN): 2105-AD33
ABSTRACT: This is a non-significant technical amendment to the existing DOT/TSA SSI rule that would correct an unintended limitation in parties that have a need to know SSI. The amendment authorizes the sharing of vulnerability assessments and certain other SSI with covered persons who meet the need to know requirements regardless of mode of transportation. This rulemaking is related to a May 18, 2004, significant interim final rule [69 FR 28066] published by TSA under RIN 1652-AA08.

TITLE: Project Authorization and Agreements
REGULATORY IDENTIFICATION NUMBER (RIN): 2125-AF05
ABSTRACT: The FHWA would revise the regulations relating to the obligation of Federal funds for Federal-aid highway projects authorized under title 23, United States Code. This rule would reduce amounts obligated on Federal-aid highway

projects when the FHWA determines that the project is not advancing or when the amount of Federal funds obligated on an inactive project exceeds the amount needed to complete the project. Further, the rule would establish a project completion date in the project agreement, which would be added to all new projects and modifications to existing projects. This action is necessary to reduce the occurrences where funds on inactive projects funded out of the Highway Trust Fund are in excess of what is needed to complete the project. This rule would assist the FHWA and the States in monitoring Federal-aid highway projects to provide more assurances that the amounts of Federal funds obligated reflect the current estimated cost of the project.

TITLE: Commercial Driver's License (CDL) Standards; School Bus Endorsement
REGULATORY IDENTIFICATION NUMBER (RIN): 2126-AA94
ABSTRACT: In response to section 4140 of the Safe Accountable Flexible Efficient Transportation Equity Act of 2005: A Legacy for Users (SAFETEA-LU), FMCSA issued interim regulations on September 28, 2005 (70 FR 56589), that amend certain requirements to: Specify that a driver who passed knowledge and skills tests approved by FMCSA for a CDL school bus endorsement before September 30, 2002, has met the requirements for a school bus endorsement; extend the compliance date to permit States an additional year to administer knowledge and skills tests to all school bus drivers; and extend the expiration date for allowing States to waive the driving skills test also for an additional year. In a final rule issued on January 18, 2006 (71 FR 2897), FMCSA adopted the interim regulations as final and without change. This final rule is effective February 17, 2006.

TITLE: Providing for Electronic Submission of Grant Applications (FR-4875)
REGULATORY IDENTIFICATION NUMBER (RIN): 2501-AD02
ABSTRACT: The President's objective for e-government, as contained in the President's Management Agenda, requires Federal agencies to allow for electronic application submission. The Department proposes mandatory electronic submission for applications for Federal financial assistance.

TITLE: Consolidated Plan Revisions and Updates (FR-4923)
REGULATORY IDENTIFICATION NUMBER (RIN): 2501-AD07
ABSTRACT: This rule would amend the consolidated plan regulations to make clarifying and streamlining changes that are expected to make the consolidated plan more results-oriented and useful to communities in assessing their own progress toward addressing the problems of low-income areas. The rule would eliminate some obsolete and redundant provisions and make other changes that would conform the consolidated plan regulations with HUD's public housing regulations that govern the Public Housing Agency Plan.

TITLE: Cable Customer Service Standards (MM 92-263)
REGULATORY IDENTIFICATION NUMBER (RIN): 3060-AF69
ABSTRACT: The Commission has adopted customer service standards for cable operators nationwide to implement the provisions of the Cable Act of 1992. Such standards shall include, at a minimum, cable systems office hours, telephone availability, installations, outages, service calls, and communication between the cable operator

and subscriber, including billing and refunds.

TITLE: Cable Act Reform
REGULATORY IDENTIFICATION NUMBER (RIN): 3060-AG27
ABSTRACT: This proceeding implements the cable reform section of the Telecommunications Act of 1996. It addresses several issues, including the cable rate complaint process, effective competition and subscriber notifications.

TITLE: Implementation of Section 207 of the Satellite Home Viewer Extension and Reauthorization Act of 2004. Reciprocal Bargaining Obligation.
REGULATORY IDENTIFICATION NUMBER (RIN): 3060-AI65
ABSTRACT: In this item, the Commission establishes rules implementing section 207 of the Satellite Home Viewer Extension and Reauthorization Act of 2004 (SHVERA). Because the Commission has in place existing rules governing good faith retransmission consent negotiations, we conclude that the most faithful and expeditious implementation of the amendments contemplated in the SHVERA is to extend to MVPDs the existing good faith bargaining obligation imposed on broadcasters under out rules. The item accordingly amends the Commission's rules to apply equally to broadcasters and MVPDs. We also conclude that the reciprocal bargaining obligation applies to retransmission consent negotiations between all broadcasters and MVPDs regardless of the designated market area in which they are located. Because the text of the statute applies without qualification to "television broadcast stations, "multi-channel video programming distributors" and "retransmission consent agreements," the item concludes that the reciprocal bargaining obligation applies to all retransmission consent agreements.

TITLE: Implementation of the Satellite Home Viewer Extension and Reauthorization Act of 2004 Procedural Rules
REGULATORY IDENTIFICATION NUMBER (RIN): 3060-AI66
ABSTRACT: The Commission has established procedural rules in compliance with requirements in the Satellite Home Viewer Extension and Reauthorization Act of 2004 (SHVERA). The Commission first prescribes rules for carriage elections on a county basis, unified retransmission consent negotiations, and notifications by satellite carriers to local broadcasters concerning carriage of significantly viewed signals. The Commission also revises the rules for satellite carriers' notices to station licensees when the carrier is going to initiate new local service. Finally, the Commission establishes a procedural rule which exempts satellite carriers from the signal testing requirements of section 339(c)(4) of the Communications Act of 1934, as amended, when local-into-local service is available.

TITLE: Federal Travel Regulation 2006-301; Relocation Income Tax (RIT) Allowance Tax Tables--2006 Update
REGULATORY IDENTIFICATION NUMBER (RIN): 3090-AI22
ABSTRACT: The Federal, State, and Puerto Rico tax tables for calculating the relocation income tax (RIT) allowance are being updated to reflect changes in Federal, State, and Puerto Rico income tax brackets and rates. The Federal, State, and Puerto Rico tax tables contained in this rule are for calculating the 2006 RIT allowance to be paid to relocating Federal employees.

TITLE: Requirements for Insurance
REGULATORY IDENTIFICATION NUMBER (RIN): 3133-AD14
ABSTRACT: The rule amends the regulation on the purchase of assets and assumption of liabilities by federally insured credit unions to clarify which transfers of assets or accounts require approval by the NCUA Board. It also clarified the procedures for applying for NCUA approval of purchase or assumption transact.