

**July 2007**

**Federal Mandate Report**

January 3<sup>rd</sup> 2007

to

July 11<sup>th</sup> 2007



**Commonwealth of Virginia**

**Office of the Governor**

**Virginia Liaison Office**

**The Federal Mandate Report** is published semiannually by the Virginia Liaison Office (VLO). This report provides reviews of federal legislation containing unfunded mandates that have become public law (Part I), or passed at least one chamber of Congress (Part II). The report also provides reviews of federal regulatory action completed that may affect the Commonwealth (Part III). The VLO relies on the Congressional Budget Office's (CBO) interpretations of the Federal Unfunded Mandate Reform Act (UMRA) to determine what legislation contains intergovernmental mandates. Descriptions of the mandates provided in this analysis are based upon, or excerpted from, these CBO documents. Likewise, the VLO relies 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 3<sup>rd</sup>, 2007 to July 11<sup>th</sup>, 2007.

None (0) of the bills reviewed by the CBO have become public law during the aforementioned period that is covered in this report. However, during this same period, nineteen (19) bills containing intergovernmental mandates have passed at least one chamber of Congress.

The RISC identified a total of sixty eight (68) completed federal regulations affecting States, forty six (46) of which may have an effect on the Commonwealth.

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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. The thresholds for 2007, which are adjusted annually for inflation, are \$66 million for intergovernmental mandates (state, local, or tribal governments) and \$131 million or more per year for the private sector.

As of the publishing of this document, no bills containing an intergovernmental or private sector mandate, as described above, have become public law.

**Part II-Mandates in Pending Legislation**

Title II 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. The thresholds for 2007, which are adjusted annually for inflation, are \$66 million for intergovernmental mandates (state, local, or tribal governments) and \$131 million or more per year for the private sector.

<b>Bill Number</b>	<b>Bill Title</b>	<b>Unfunded Mandate on State</b>	<b>Bill Status (Including Congressional Vote)</b>
S. 4	Improving America's Security Act of 2007	<p>According to a CBO score on March 6, 2007, S. 4 would authorize the appropriation of \$15.8 billion over the 2008-2012 period for a homeland security grant program and \$3.3 billion over the same period for an emergency communications and interoperability grant program. This legislation would authorize the appropriation of \$170 million over the five-year period for programs to improve information sharing, combat human smuggling, and protect civil liberties. The bill also would establish the International Cooperative Programs Office within the Department of Homeland Security (DHS).</p> <p>Title VIII would amend the personnel management system that applies to the Transportation Security Administration (TSA). Based on information from TSA and the Office of Personnel Management (OPM), and subject to appropriation of the necessary amounts, CBO estimates that the agency would spend \$175 million over the 2008-2012 period to hire new staff and train existing staff to prepare the agency to operate with a workforce that includes collective bargaining units. Finally, S. 4 contains many other provisions that aim to protect the</p>	<p>1/4/2007 Introduced in Senate</p> <p>2/22/2007 Committee on Homeland Security and Governmental Affairs.</p> <p>3/13/2007 Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 60 - 38.</p> <p>Yea: Webb Nay: Warner</p>

H.R. 493	Genetic Information Nondiscrimination Act of 2007	<p>United States from terrorist attacks and other threats.</p> <p>CBO estimates that implementing S. 4 would cost \$11.4 billion over the 2008-2012 period, assuming appropriation of the authorized and estimated amounts. Enacting the bill could affect direct spending, but CBO estimates that there would be no significant net effect on direct spending in any year. Enacting S. 4 would not affect revenues.</p> <p>S. 4 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO expects the cost to state, local, and tribal governments of complying with that mandate would be small and well below the annual threshold established in that act .</p> <p>S. 4 also contains private-sector mandates as defined in UMRA. The bill would impose a mandate on private-sector entities by requiring them, if subpoenaed, to provide testimony, documents, or other evidence. CBO estimates that the direct cost of complying with the mandate would be small and fall well below the annual threshold for private-sector mandates established by UMRA .</p>	3/20/2007 Held at the desk.
H.R. 493	Genetic Information Nondiscrimination Act of 2007	<p>According to a CBO score on March 2, 2007, H.R. 493 would amend the Employee Retirement Income Security Act of 1974 (ERISA), the Public Health Service Act, and Title XVIII of the Social Security Act to prohibit the use of genetic information (including results of genetic tests and family history of disease) by employers in employment decisions and by health insurers and health plans in making enrollment determinations and setting insurance premiums.</p> <p>CBO estimates that enacting the bill would increase the number of</p>	1/16/2007 Introduced in the House  3/5/2007 Reported (Amended) by the Committee on Education and Labor.  3/26/2007

<p>Reported (Amended) by the Committee on Ways and Means.</p> <p>3/29/2007</p> <p>Reported (Amended) by the Committee on Energy and Commerce</p>	<p>individuals who obtain health insurance by about 600 people per year, nearly all of whom would obtain insurance in the individual market. The bill would affect federal revenues because the premiums paid by some of those newly insured individuals would be tax-deductible.</p>
<p>4/19/2007</p> <p>Supplemental report filed by the Committee on Energy and Commerce,</p>	<p>CBO estimates that enacting H.R. 493 would reduce revenues by less than \$500,000 in each year from 2008 through 2017, by \$1 million over the 2008-2012 period, and by \$2 million over the 2008-2017 period. (These estimates include reductions in off-budget receipts from Social Security payroll taxes of less than \$500,000 over the 2008-2012 period, and slightly less than \$1 million over the 2008-2017 period.) The bill's requirements would apply to Medicare Supplemental Insurance, which could affect direct spending for Medicare. However, we estimate that the bill would have no significant effect on direct spending.</p>
<p>4/25/2007</p> <p>Passed/Agreed to in the House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 420 – 3</p>	<p>The bill would require the Secretaries of Health and Human Services (HHS), Labor, and the Treasury to issue regulations to carry out the provisions of this bill, and would require the Secretaries of HHS and Labor to enforce those provisions. In addition, six years after enactment, the bill would establish a commission to review the science of genetics and to make recommendations to the Congress on the need to establish a disparate impact standard for genetic discrimination. The bill would authorize the appropriation of such sums as necessary to establish the commission and to carry out the other provisions of the bill. Assuming the appropriation of the necessary amounts, CBO estimates that implementing H.R. 493 would increase discretionary spending by less than \$500,000 in 2008 and by \$2 million over the 2008-2017 period. H.R. 493 would preempt some state laws that establish confidentiality standards for genetic information, and would restrict how state and local governments use such information in employment practices and in the</p>
<p>Yeas: Drake, Forbes, Goode, Goodlatte, Cantor, Wolf, T. Davis, Scott, Moran, Boucher</p> <p>Not Voting: J. Davis</p> <p>4/30/2007</p> <p>Read the second time.</p>	

		<p>provision of health care to employees. The preemption and the limitations on state and local actions would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but there is little indication that state, local, or tribal governments currently engage in or are likely to engage in the activities that would be prohibited by the bill. Consequently, CBO estimates that the costs of the mandates would not be significant and would not exceed the threshold established in UMRA.</p> <p>The bill contains private-sector mandates on health insurers, health plans, employers, labor unions, and other organizations. CBO estimates that the direct cost of those requirements would not exceed the annual threshold specified in UMRA in any of the first five years the mandates would be effective.</p> <p>The CBO staff contacts for this estimate are Shinobu Suzuki (for federal costs), Leo Lex (for the state and local impact), and David Auerbach (for the private-sector impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.</p>	Placed on Senate Legislative Calendar under General Orders. Calendar No. 125.
H.R. 518	International Solid Waste Importation and Management Act of 2007	<p>According to a CBO score on March 28, 2007, The Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, which was signed in 1986 and later amended in 1992, governs the trade in hazardous and municipal solid waste between the United States and Canada. Enacting H.R. 518 would authorize the Administrator of the Environmental Protection Agency (EPA) to perform certain functions under this agreement to determine whether to allow certain imports of hazardous or municipal solid waste from Canada. Under the legislation, EPA would be required to issue final regulations concerning imports and exports of hazardous and municipal solid waste within 24 months of the bill's enactment, and it</p>	<p>1/17/2007 Introduced in House</p> <p>3/29/2007 Reported by the Committee on Energy and Commerce.</p> <p>4/24/2007 Passed/agreed to in House: On motion to suspend the rules and pass the bill</p>

		<p>would be responsible for implementing and enforcing those regulations. CBO estimates that implementing this legislation would cost about \$2 million in 2008 and about \$6 million over the 2008-2012 period, assuming appropriation of the necessary amounts.</p> <p>Enacting H.R. 518 could increase revenues because the bill would provide for civil penalties for any past or current violations of its provisions. CBO expects that the amount of fines collected under this bill would not be significant.</p> <p>H.R. 518 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) because it would preempt the regulatory authority of state governments and impose requirements on some local governments that own solid waste facilities. Because the details of those requirements would depend on future federal regulations, CBO cannot determine whether local governments would lose income from waste disposal fees. Therefore, we cannot estimate the total costs of complying with those mandates or determine whether they would exceed the threshold for intergovernmental mandates established by UMRA.</p> <p>H.R. 518 would impose private-sector mandates, as defined in UMRA, on certain companies involved in the importation, exportation, and disposal of solid waste. CBO cannot determine the cost of those mandates because the requirements established by the bill would depend on future regulatory action.</p>	<p>Agreed to by voice vote.</p> <p>4/25/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.</p>
S. 398	Indian Child Protection and Family Violence Prevention Act Amendments of	<p>According to a CBO score on March 5, 2007, S. 398 would authorize appropriations to operate Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) programs aimed at preventing abuse of Indian children. CBO estimates that implementing S. 398 would cost about \$140 million over the 2008-2012 period, assuming appropriation of the</p>	<p>1/25/2007 Introduced in Senate</p> <p>4/10/2007 Committee on Indian</p>

	2007	<p>necessary amounts. Enacting the bill would not affect direct spending or revenues.</p> <p>S. 398 would limit the authority of states to release names or other information about abused children under certain circumstances, and it would preempt state laws governing background checks conducted by tribes. Those provisions would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but they would impose no costs on state, local, or tribal governments. Thus, the threshold established in UMRA would not be exceeded.</p> <p>The bill would impose two private-sector mandates as defined in UMRA. S. 398 would allow local law enforcement and local child protective services to perform forensic examinations of children without parental consent and thus deny parents that right. Additionally, the bill would require certain individuals to report abuse or suspected abuse to local authorities. CBO estimates that any direct cost of these mandates would be minimal.</p>	<p>Affairs. Reported by Senator Dorgan without amendment.</p> <p>5/25/2007 Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.</p> <p>6/5/2007 Referred to House committee: Referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.</p>
H.R. 698		<p>H.R. 698 would amend existing law regarding federal deposit insurance for industrial banks and their holding companies. Those institutions are chartered by states and subject to regulation by the Federal Deposit Insurance Corporation (FDIC) and other federal financial regulators, as appropriate. This legislation would set limits on the types of industrial banks eligible for federal deposit insurance and would clarify federal agencies' authority to supervise those entities and their holding companies.</p>	<p>1/29/2007 Introduced in House</p> <p>5/16/2007 Reported (Amended) by the Committee on Financial Services.</p>



H.R. 740	Preventing Harassment through Outbound Number Enforcement (PHONE) Act of 2007	<p>Enacting this bill would affect direct spending and revenues, but CBO estimates that such effects would be negligible. H.R. 698 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the cost of complying with the requirements would not exceed the threshold established in UMRA. The bill contains private-sector mandates as defined in UMRA. Those mandates are on industrial bank holding companies, and commercial firms and foreign banks that want to own an industrial bank. Because future regulatory and business decisions are unknown, CBO cannot estimate the cost of some of the private-sector mandates in the bill, and is uncertain whether the aggregate direct cost of all of the mandates would exceed the annual threshold established by UMRA.</p>	<p>5/21/2007 Passed/agreed to in House: 371 - 16</p> <p>Every House member of the Virginia delegation voted in favor of this bill.</p> <p>5/22/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>
		<p>According to a CBO score on May 29, 2007, CBO estimates that implementing H.R. 740 would have no significant cost to the federal government. Enacting the legislation could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.</p> <p>H.R. 740 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.</p> <p>H.R. 740 would establish a new federal crime for the fraudulent use of caller-ID information. Because the act would establish a new offense, the government would be able to pursue cases that it otherwise would not be able to prosecute. CBO expects that H.R. 740 would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of</p>	<p>1/31/2007 Introduced in House</p> <p>3/8/2007 Reported by the Committee on Judiciary.</p> <p>3/21/2007 Passed/agreed to in House: Agreed to by the Yeas and Nays: (2/3 required): 413 - 1</p> <p>Yeas: Drake, Forbes, Goode, Goodlatte, Cantor, Wolf, Scott, Boucher</p>

		<p>appropriated funds.</p> <p>Because those prosecuted and convicted under H.R. 740 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, then deposited in the Crime Victims Fund, and later spent. CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected.</p> <p>Persons prosecuted and convicted under the act also could be subject to the seizure of certain assets by the federal government. Proceeds from the sale of such assets would be deposited into the Assets Forfeiture Fund and spent from that fund, mostly in the same year. Thus, enacting H.R. 740 could increase both revenues deposited into the fund and direct spending from the fund. However, CBO estimates that any increased revenues or spending would be negligible.</p> <p>On February 15, 2007, CBO transmitted a cost estimate for H.R. 740 as ordered reported by the House Committee on the Judiciary on February 7, 2007. The two versions of the legislation are similar and the CBO cost estimates are identical.</p> <p>The CBO staff contact for this estimate is Mark Grabowicz. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.</p>	<p>Not voting: J. Davis, T. Davis, Moran</p> <p>5/24/2007</p> <p>Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.</p> <p>5/24/2007</p> <p>Placed on Senate Legislative Calendar under General Orders. Calendar No. 173.</p>
H.R. 964	Securely Protect Yourself Against Cyber Trespass Act	<p>According to a CBO score on May 24, 2007, H.R. 495 would prohibit the use of computer software (known as spyware) to collect personal information and to monitor the behavior of computer users without a user's consent. The bill would direct the Federal Trade Commission</p>	<p>2/8/2007</p> <p>Introduced in House</p> <p>5/24/2007</p>

<p>(FTC) to enforce the bill's provisions relating to spyware, including assessing and collecting civil penalties for unfair or deceptive business practices. Based on information provided by the FTC, CBO estimates that implementing the bill would increase spending by \$1 million in 2008 and \$7 million over the 2008-2012 period, assuming appropriation of the necessary amounts.</p> <p>Enacting H.R. 495 could increase civil penalties and thus could affect federal revenues, but CBO estimates that such effects would not be significant in any year. Enacting H.R. 495 would not affect direct spending.</p> <p>H.R. 964 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the resulting costs to states would fall significantly below the threshold established in UNRA.</p> <p>H.R. 964 would impose private-sector mandates, as defined in UMRA, on persons who use computer programs to collect certain information from another person's computer. In addition, by preempting certain state laws, the bill would impose a mandate on private entities by eliminating any private right of action under those laws. CBO estimates that the direct cost of complying with most of those mandates would be small and fall below the annual threshold for private-sector mandates established by UMRA. However, due to a lack of information about the number of claims that would be filed by private entities under state laws in the absence of this legislation and the value of awards in such cases, CBO has no basis to determine the loss of compensation from awards or settlements, if any. Consequently, CBO cannot determine whether the aggregate direct cost of all the mandates in the bill would exceed the annual threshold.</p>	<p>Reported (Amended) by the Committee on Energy and Commerce.</p> <p>6/6/2007</p> <p>Passed/agreed to in House: Yeas and Nays: (2/3 required): 368 – 48</p> <p>Yeas: J. Davis, Drake, Forbes, Goode, Wolf, Scott, Moran, Boucher</p> <p>Nays: Goodlatte, T. Davis</p> <p>Not voting: Cantor</p> <p>6/7/2007</p> <p>Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.</p>
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H.R.1100	<p>Carl Sandburg Home National Historic Site Boundary Revision Act of 2007</p>	<p>According to a CBO score on May 11, 2007, H.R. 1100 would authorize the National Park Service (NPS) to acquire 115 acres to be added to the boundary of the Carl Sandburg Home National Historic Site in North Carolina. Under the bill, the NPS could acquire that acreage, or lesser property interests such as easements, by purchase, donation, or exchange.</p> <p>Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 1100 would cost \$7 million over the next several years. We estimate that about half of that amount would be used by the NPS to acquire about 115 acres of land near the existing historic site. (Such costs could be lower if the NPS can acquire easements for some of the acreage.) The remaining funds would be used to construct and equip a visitor center and related facilities near the site. We estimate that costs to manage the additional acreage and operate new visitor facilities would be less than \$500,000 a year, assuming the availability of appropriated funds. This estimate is based on information provided by the NPS. Enacting H.R. 1100 would have no effect on direct spending or revenues.</p> <p>H.R. 1100 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.</p> <p>The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.</p>	<p>2/15/2007 Introduced in House</p> <p>5/17/2007 Reported (Amended) by the Committee on Natural Resources.</p> <p>5/23/2007 Passed/agreed to in House: On passage Passed by recorded vote: 268 – 150</p> <p>Yeas: Wolf, Scott, Moran, Boucher</p> <p>Nays: Goode, Goodlatte, Cantor, T. Davis, Forbes, Drake</p> <p>Not voting: J. Davis</p> <p>5/24/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.</p>
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H.R. 1227	Gulf Coast Hurricane Housing Recovery Act of 2007	<p>According to a CBO score on April 30, 2007, H.R. 1227 would authorize various forms of housing assistance for the areas of the Gulf Coast affected by hurricanes in 2005. The act would authorize funding for the repair, rehabilitation and development of public housing operated by the Housing Authority of New Orleans (HANO) and authorize new tenant and project-based housing vouchers. In addition, the act would authorize the appropriation of funds to allow the Federal Housing Administration (FHA) to pay some additional mortgage insurance claims associated with certain properties either damaged or destroyed by Hurricanes Katrina or Rita. CBO estimates that the act would authorize the appropriation of about \$3 billion over the 2008-2012 period. Assuming the appropriation of the estimated amounts, implementing H.R. 1227 would result in additional outlays of \$2.8 billion over the same period.</p> <p>H.R. 1227 would also accelerate expenditures for some funds that have been previously appropriated, increasing direct spending by \$456 million in 2008, and by about \$1.3 billion over the 2008-2010 period. That increase would be offset by a reduction in outlays in 2011 and 2012 for no net effect over the 2008-2012 period.</p> <p>H.R. 1227 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates, however, that the mandate would not impose additional costs, and therefore, the annual threshold established in UMRA would not be exceeded. The act contains no new private-sector mandates as defined by UMRA.</p>	<p>2/28/2007 Introduced in House</p> <p>3/16/2007 Reported (Amended) by the Committee on Financial Services.</p> <p>3/16/2007 Committee on Transportation discharged.</p> <p>3/21/2007 Passed/agreed to in House: On passage Passed by recorded vote: 302 – 125</p> <p>Yeas: Wolf, T. Davis, Scott, Moran, Boucher</p> <p>Nays: Drake, Forbes, Goode, Goodlatte, Cantor</p> <p>Not voting: J. Davis</p> <p>3/23/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and</p>
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H.R. 1401	Rail and Public Transportation Security Act of 2007	<p>According to a CBO score on March 21, 2007, CBO estimates that H.R. 1401 would authorize the appropriation of \$7.3 billion over the 2008-2012 period for security-related programs carried out by the Department of Homeland Security (DHS) and the Department of Transportation (DOT) involving railroads, public transportation entities, buses, and trucks. Those amounts include funds for security grants to transportation entities, research activities, increased numbers of inspectors for rail security, a program to screen certain transportation workers, and for other DHS activities related to transportation security. Assuming appropriation of the amounts authorized and estimated to be necessary, CBO estimates that implementing the bill would cost about \$500 million in 2008 and about \$6 billion over the 2008-2012 period.</p> <p>Enacting H.R. 1401 could increase both direct spending and revenues, but CBO estimates that any such increases would be negligible.</p> <p>H.R. 1401 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) because it would require certain public transportation agencies and public rail carriers to conduct vulnerability assessments, to create and implement security plans, to train all employees in security, to complete background checks of employees, and to submit additional information to DHS.</p> <p>Transportation entities covered by the provisions in the bill also would be subject to new projections for “whistleblower” employees, and the bill would preempt state laws covering such employees. While CBO cannot precisely estimate the aggregate costs of those mandates, based on information from industry and government sources, we estimate that the costs to state, local, and tribal governments would substantially exceed the threshold established in UMRA in one of the first five years after enactment. The bill would authorize appropriations of funds to</p>	Urban Affairs.
			<p>3/8/2007 Introduced in House</p> <p>3/22/2007 Reported (Amended) by the Committee on Homeland Security.</p> <p>3/22/2007 Committee on Transportation discharged.</p> <p>3/27/2007 Passed/agreed to in House: On passage Passed by recorded vote: 299 - 124,</p> <p>Yeas: Goode, Goodlatte, Wolf, T. Davis, Scott, Moran, Boucher</p> <p>Nays: Drake, Forbes, Cantor</p> <p>Not Voting: J. Davis</p> <p>3/28/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee</p>

		<p>cover most of those costs.</p> <p>H.R. 1401 contains several private-sector mandates as defined in UMRA because it would require certain rail and bus carriers to implement security programs and procedures. Those carriers also would be subject to new whistleblower protections for their employees. In addition, the bill would require certain rail carriers to implement enhanced security measures for shipments of materials determined to pose a risk to national security. An estimate of the aggregate cost of those mandates cannot be determined because it depends on regulations to be developed by DHS under the bill. Based on information from industry and government sources, however, CBO expects that the cost of those mandates would be large and would likely exceed the annual threshold established by UMRA for private-sector mandates in at least one of the first five years the mandates are in effect. The bill would authorize an appropriation of funds for grant assistance to cover some of the costs of complying with mandates in the bill.</p>	<p>on Commerce, Science, and Transportation.</p>
<p>H.R. 1525</p>	<p>Internet Spyware (I-SPY) Prevention Act of 2007</p>	<p>According to a CBO score on May 7, 2007, H.R. 1525 would establish new federal crimes for the use of certain computer software—known as spyware—to collect personal information or to commit a federal criminal offense. The bill would authorize the appropriation of \$40 million over the 2008-2011 period for the Attorney General to prosecute violations of the new law. Assuming appropriation of the authorized amounts, CBO estimates that implementing the bill would cost \$9 million in 2008 and \$40 million over the 2008-2012 period. CBO expects that enacting the bill would have an insignificant effect on federal revenues and direct spending.</p> <p>H.R. 1525 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that any</p>	<p>3/14/2007 Introduced in House</p> <p>5/21/2007 Reported (Amended) by the Committee on Judiciary.</p> <p>5/22/2007 Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.</p>

H.R. 1585	National Defense Authorization Act for Fiscal Year 2008	<p>costs to state, local, and tribal governments would be minimal and would not exceed the threshold established in UMRA. The bill contains no new private sector mandates as defined in UMRA.</p> <p>According to a CBO score on June 12, 2007, H.R. 1585 would authorize appropriations totaling \$641 billion for fiscal year 2008 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 \$142 billion for military operations in Iraq and Afghanistan. CBO estimates that appropriation of the authorized amounts would result in additional outlays of \$632 billion over the 2008-2012 period.</p> <p>Including outlays from funds previously appropriated, spending for defense programs authorized by the act would total \$609 billion in 2008, CBO estimates. The act also contains provisions that would both increase and decrease costs of discretionary defense programs in future years. Most of those provisions would affect force structure, compensation, and benefits. In total, such provisions would raise costs by about \$9 billion annually.</p> <p>The act contains provisions that would both increase and decrease direct spending, primarily from changes to survivor benefits, retirement benefits, and the TRICARE program. We estimate that those provisions combined would increase direct spending by \$150 million in 2008, but have no net effect on spending over both the 2008-2012 period and the 2008-2017 period. Those totals include estimated net receipts from asset</p>	<p>5/23/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on the Judiciary.</p>
			<p>3/20/2007 Introduced in House</p> <p>5/11/2007 Reported (Amended) by the Committee on Armed Services.</p> <p>5/14/2007 Supplemental report filed by the Committee on Armed Services</p> <p>5/17/2007 Passed/agreed to in House: On passage Passed by recorded vote: 397 – 27</p> <p>Yeas: Drake, Forbes, Goode, Goodlatte, Cantor, Wolf, T. Davis, Scott, Moran, Boucher</p>



H.R. 1615	Securing Aircraft Cockpits Against Lasers Act of 2007	<p>sales of \$583 million over the 2008-2017 period.<sup>2</sup> (Under current scorekeeping rules and conventions, asset sale receipts are recorded as a credit against direct spending as long as such sales would not result in a net financial cost to the government—as determined on a present value basis.) In addition, enacting H.R. 1585 would have a negligible effect on federal revenues.</p> <p>According to a CBO score on May 7, 2007, CBO estimates that implementing H.R. 1615 would have no significant cost to the federal government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.</p> <p>H.R. 1615 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.</p> <p>H.R. 1615 would establish a new federal crime for aiming the beam of a laser pointer at an aircraft or at the aircraft's flight path. Because the bill would establish a new offense, the government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that H.R. 1615 would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.</p> <p>Because those prosecuted and convicted under H.R. 1615 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, then deposited in the Crime Victims Fund and later spent. CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be</p>	<p>Not voting: J. Davis</p> <p>6/5/2007 Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 189.</p>
			<p>3/21/2007 Introduced in House</p> <p>5/14/2007 Reported (Amended) by the Committee on Judiciary.</p> <p>5/22/2007 Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.</p> <p>Yeas: Wolf, Scott, Moran, Boucher</p> <p>Nays: Drake, Forbes, Goode, Goodlatte, Cantor, T. Davis</p> <p>Not voting: J. Davis</p> <p>5/23/2007</p>

H.R. 1642	Homeless Veterans Housing at Sepulveda Ambulatory Care Center Promotion Act	<p>affected.</p> <p>The CBO staff contact for this estimate is Mark Rabowicz. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.</p> <p>According to a CBO score on April 30, 2007, H.R. 1642 would authorize the Secretary of Veterans Affairs (VA) to enter into an enhanced use lease to provide housing for homeless veterans at the Sepulveda Ambulatory Care Center, an existing VA facility in California. The bill would require that the center be maintained as a well-staffed, sober living facility, exclusively for veterans, but would grant VA some flexibility regarding those requirements if a diligent search failed to find qualified organizations willing to develop and operate the facility under those terms.</p> <p>Under current law, the Veterans Health Administration (VHA) has authority to use enhanced use leases to enter into an array of long-term agreements with property developers who establish a limited-liability company, partnership, or other special-purpose entity, specifically for the purpose of renovating, constructing, operating, and maintaining the facilities for each project. Those agreements establish government control over the project, protect the government's interests, and ensure that VHA will receive guaranteed access to whatever facility is being developed. The resulting lease payments to VHA are deposited into the Health Services Improvement Fund and are considered offsets to direct spending, but VHA may spend amounts in the fund without appropriation action. Thus, any such collections are spent, resulting in no net impact on direct spending.</p> <p>VA is currently in the process of finalizing an enhanced-use lease for the Sepulveda facility with a nonprofit organization named New</p>	<p>Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on the Judiciary.</p> <p>3/22/2007 Introduced in House</p> <p>5/7/2007 Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.</p> <p>5/8/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.</p>
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		<p>Directions. However, New Directions cannot meet the conditions specified in H.R. 1642. Based on information from VA, CBO expects that under the bill, the department would be required to break off arrangements with New Directions and search for qualified organizations, a process that could take a few years. CBO estimates that implementing this bill would increase VA's administrative expenses, which are subject to appropriation, by an insignificant amount. Enacting the bill also would have an insignificant effect on direct spending (the delay in receiving lease payments would be offset by lower spending), but would not affect revenues.</p> <p>H.R. 1642 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.</p> <p>The CBO staff contact for this estimate is Sunita D'Monte. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.</p>	
H.R.1684	Department of Homeland Security Authorization Act for Fiscal Year 2008	<p>According to a CBO score on May 2, 2007, H.R. 1684 would authorize the appropriation of \$39.9 billion for fiscal year 2008 to fund operations of the Department of Homeland Security (DHS). The bill also would authorize the appropriation of \$456 million over the 2009-2012 period for certain DHS programs. In addition, CBO estimates that the bill would authorize the appropriation of \$40 million over the 2009-2012 period for several other programs within DHS. CBO estimates that implementing H.R. 1684 would cost \$39.5 billion over the 2008-2012 period, assuming appropriation of the necessary amounts.</p> <p>We estimate that enacting the legislation would increase revenues by \$19 million over the 2008-2012 period and \$46 million over the 2008-</p>	<p>3/26/2007 Introduced in House</p> <p>5/4/2007 Reported (Amended) by the Committee on Homeland Security.</p> <p>5/9/2007 Passed/agreed to in House: On passage Passed by recorded vote: 296 – 126</p>

		<p>2017 period by allowing Customs and Border Protection officers to increase contributions to their retirement funds. Enacting the bill could affect direct spending, but we estimate that any such effects would not be significant.</p> <p>H.R. 1684 contains both intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the cost of those mandates would be well below the annual thresholds established by UMRA. The bill also would create new grant programs that would benefit state, local, and tribal governments and would alter some existing programs.</p>	<p>Yeas: J. Davis, Wolf, Scott, Moran, Boucher</p> <p>Nays: Drake, Forbes, Goode, Goodlatte, Cantor, T. Davis</p> <p>5/11/2007</p> <p>Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.</p>
S. 1082	Prescription Drug User Fee Amendments of 2007	<p>According to a CBO score on April 27, 2007, S. 1082 would authorize the collection and spending of user fees by the Food and Drug Administration (FDA) for activities related to the approval and marketing of prescription drugs and medical devices and for monitoring the safety of prescription drugs when they are on the market. Such fees would be collected and made available for obligation only to the extent and in the amounts provided in advance in appropriation acts.</p> <p>The bill also would establish a surveillance system to monitor post-marketing drug safety, enhance FDA's authority to regulate drugs once they have entered the market, expand tracking of clinical trials involving drugs and medical devices, and reauthorize and expand programs that focus on evaluation of drugs and devices for use by children. S. 1082 would extend the authority for FDA to administer an incentive program that grants market exclusivity to manufacturers that voluntarily conduct</p>	<p>4/10/2007</p> <p>Introduced in Senate</p> <p>4/24/2007</p> <p>Committee on Health, Education, Labor, and Pensions. Reported by Senator Kennedy with an amendment in the nature of a substitute and an amendment to the title. Without written report.</p> <p>5/9/2007</p> <p>Passed/agreed to in Senate:</p>

		<p>studies on the use of drugs in certain pediatric populations. The bill would require that the period of market exclusivity be extended by six months (three months for certain "blockbuster" drugs) if the manufacturer meets specified requirements.</p> <p>S. 1082 would preempt any state or local government law that requires manufacturers of medical devices or drugs to register clinical trials and related information in a database. That preemption would be an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would limit the application of state law. However, the costs of the mandate would be minimal and would be far below the threshold established in UMRA. Because the bill would delay entrance into the market of some generic drugs, CBO estimates that states would spend an additional \$26 million over the 2009-2017 period for Medicaid.</p>	<p>Passed Senate with an amendment and an amendment to the Title by Yea-Nay Vote. 93 - 1.</p> <p>Yeas: Warner, Webb</p> <p>5/10/2007</p> <p>Held at the desk.</p>
H.R. 1868	Technology Innovation and Manufacturing Stimulation Act of 2007	<p>According to a CBO score on April 27, 2007, H.R. 1868 would authorize appropriations for programs administered by the National Institute of Standards and Technology (NIST) for fiscal years 2008 through 2010. The bill also would establish a new fellowship program and authorize several new grant programs.</p> <p>Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 1868 would cost \$417 million in 2008 and \$2.5 billion over the 2008-2012 period. The bill would allow NIST to accept and spend funds from private industries to support certain programs. Such collections would be recorded on the budget as revenues; CBO estimates the effect on federal revenues and direct spending would be insignificant.</p> <p>H.R. 1868 contains no intergovernmental or private-sector mandates as</p>	<p>4/17/2007</p> <p>Introduced in House</p> <p>4/30/2007</p> <p>Reported (Amended) by the Committee on Science and Technology.</p> <p>5/3/2007</p> <p>Passed/agreed to in House: On passage Passed by recorded vote: 385 – 23</p> <p>Yeas: Drake, Forbes, Goode, Goodlatte, Wolf, T.</p>

H.R. 1873	Small Business Fairness in Contracting Act	<p>defined in the Unfunded Mandates Reform Act (UMRA); the bill could benefit public institutions of higher education.</p> <p>H.R. 1868 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would authorize grant funds that could benefit public institutions of higher education. Any costs they might incur would result from complying with conditions of federal assistance.</p>	<p>Davis, Scott, Moran, Boucher</p> <p>Nays: Cantor</p> <p>Not voting: J. Davis</p> <p>5/7/2007</p> <p>Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.</p>
		<p>According to a CBO score on May 31, 2007, H.R. 1873 would make several changes to the laws that promote and encourage federal agencies to contract for goods and services with small businesses. The legislation would amend the definition of "bundled contracts" (the practice of combining two or more contracts into a single agreement) for the procurement of goods and services and require agencies to better justify the need for such larger contracts rather than smaller ones that could be available to small businesses. The federal government currently has a goal of acquiring 23 percent of most goods and services from small businesses. H.R. 1873 would increase that goal to 30 percent. The legislation also would require the Small Business Administration (SBA) to develop new regulations and new databases and to conduct other efforts to encourage and promote the use of small businesses in government contracting.</p> <p>CBO estimates that implementing H.R. 1873 would cost \$63 million in</p>	<p>4/17/2007</p> <p>Introduced in House</p> <p>4/26/2007</p> <p>Reported (Amended) by the Committee on 110-111</p> <p>5/3/2007</p> <p>Reported (Amended) by the Committee on Oversight and Government.</p> <p>5/8/2007</p> <p>Supplemental report filed by the Committee on Oversight and Government</p>

		<p>fiscal year 2008 and \$605 million over the 2008-2012 period, subject to the availability of appropriated funds. Most of those estimated costs would fall on the largest agencies—the Department of Defense, the Department of Energy, and the National Aeronautics and Space Administration—that have not met the current goal for contracting with small businesses. Enacting H.R. 1873 could increase civil and criminal penalties and thus could affect federal revenues and direct spending, but CBO estimates that such effects would not be significant in any year.</p> <p>The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.</p>	<p>5/10/2007 Passed/agreed to in House: On passage Passed by recorded vote: 409 – 13</p> <p>Yeas: J. Davis, T. Davis, Drake, Forbes, Goode, Goodlatte, Cantor, Wolf, Scott, Moran, Boucher</p> <p>5/11/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Small Business and Entrepreneurship.</p>
H.R. 2082	Intelligence Authorization Act for Fiscal Year 2008	<p>According to a CBO score on May 7, 2007, H.R. 2082 would authorize appropriations for fiscal year 2008 for intelligence activities of the U.S. government, for the Intelligence Community Management Account, and for the Central Intelligence Agency Retirement and Disability System (CIARDS).</p> <p>This estimate addresses only the unclassified portion of the bill. On that limited basis, CBO estimates that implementing certain provisions of the bill would cost \$406 million in 2008 and approximately \$730 million over the 2008-2012 period, assuming appropriation of the authorized funds. Enacting H.R. 2082 would not affect direct spending or revenues.</p>	<p>5/1/2007 Introduced in House</p> <p>5/7/2007 Reported (Amended) by the Committee on Intelligence (Permanent).</p> <p>5/11/2007 Passed/agreed to in House: On passage Passed by recorded vote: 225 – 197</p>

		<p>The unclassified sections of H.R. 2082 would extend an existing mandate, as defined by the Unfunded Mandates Reform Act (UMRA), on intergovernmental and private-sector entities, but CBO estimates that the costs of the mandate would not exceed the annual thresholds established in that act.</p>	<p>Yeas: Scott, Moran, Boucher Nays: Wolf, Goode, Goodlatte, Cantor, T. Davis, Forbes, Drake Not voting: J. Davis 5/14/2007 Referred to Senate committee: Received in the Senate and Read twice and referred to the Select Committee on Intelligence.</p>
H.R. 2900	Food and Drug Administration Amendments Act of 2007	<p>According to a CBO score on July 2, 2007, H.R. 2900 would authorize the collection and spending of user fees by the Food and Drug Administration (FDA) for certain activities to expedite the marketing approval of prescription drugs and medical devices and to regulate prescription drugs after they enter the market. Such fees would be collected and made available for obligation only to the extent and in the amounts provided in advance in appropriation acts.</p> <p>The bill also would establish a surveillance system to monitor and assess the safety profile of drugs on the market, enhance FDA's authority to regulate marketed drugs, expand federal databases that track information on certain clinical trials, and reauthorize and modify programs that evaluate the use of drugs and devices by children. The legislation would authorize funds to extend FDA's grant program for</p>	<p>6/28/2007 Introduced in House 7/11/2007 Reported by the Committee on Energy and Commerce. 7/11/2007 Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 403 – 16</p>



	<p>orphan products, conduct post-marketing surveillance of medical devices, establish programs to accelerate innovation and improve the evaluation of medical products, and promote the security of drugs distributed in the United States.</p> <p>On balance, CBO estimates that implementing H.R. 2900 would have net discretionary costs of \$728 million over the 2008-2012 period. Enacting the bill would increase direct spending by \$7 million over the 2009-2012 period and by \$200 million over the 2009-2017 period. Finally, we estimate that enacting H.R. 2900 would decrease net federal revenues by \$1 million over the next five years and by \$41 million over the 10 years through 2017.</p> <p>H.R. 2900 contains both intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would preempt any state or local law that requires manufacturers of medical devices or drugs to register clinical trials and related information in a database, but the net costs of that mandate would be minimal and far below the threshold established in UMRA.</p> <p>The most costly of the bill's private-sector mandates would be the requirement that manufacturers of prescription drugs and medical devices pay fees to the FDA. The direct cost of the fees would exceed the annual threshold specified in UMRA.</p>	<p>Yeas: Wolf, Goodlatte, Cantor, T. Davis, Forbes, Drake, Moran, Boucher, Scott</p> <p>Nays: Goode</p> <p>Not voting: J. Davis</p>
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### Part III - Federal Regulatory Mandates

The Regulatory Information Service Center of the General Services Administration identified sixty-eight (68) completed federal regulatory actions that may affect the states. The following forty-six (46) may mandate specific requirements on the Commonwealth.

**TITLE: Relocation of OMB Circulars to Title 2 Code of Federal Regulations**

**RIN:** 0348-AB58

**ABSTRACT:** Title 2 of the CFR contains OMB guidance to Federal agencies on Governmentwide policies and procedures for the award and administration of grants and agreements, as well as Federal agency regulations that implement OMB's guidance. OMB circulars are relocating to chapter II; streamlined guidance is contained in chapter I.

**TITLE: Changes in Fees for Voluntary Federal Dairy Grading and Inspection Services (Fee Increase) (DA-05-04)**

**RIN:** 0581-AC55

**ABSTRACT:** The Agricultural Marketing Service is revising regulations pertaining to Grading and Inspection, General Specification for Approved Plants and Standards for Grades of Dairy Products, to increase the fees. The increased fees are necessary to cover the increased costs of Federal employee pay and location adjustments as well as increases in operational costs; provide a limited amount of funding to continue to automate business practices to improve program efficiency and effectiveness; and increase the fees charged to applicants for the review of meat and poultry processing equipment.

**TITLE: Disclosure of Children's Free and Reduced Price Meals, and**

**Free Milk Eligibility Information in the Child Nutrition Programs**

**RIN:** 0584-AC95

**ABSTRACT:** This rule establishes requirements for the disclosure of children's free and reduced price meal and free milk eligibility information by agencies that make the free and reduced price meal or free milk determination under the National School Lunch Program, the School Breakfast Program, the Special Milk Program, the Child and Adult Care Food Program, and the Summer Food Service Program. The rule responds to amendments to the Richard B. Russell National School Lunch Act, which allow limited disclosure of children's free and reduced-price meal or free milk eligibility information, comments received on the July 25, 2000, proposed rule on "Disclosure of Children's Eligibility Information" (65 FR 45725 issued under RIN 0584-AC21), and comments received on the January 11, 2001, interim rule on "Disclosure of Children's Eligibility Information to State Medicaid and the State Children's Health Insurance Program" (66 FR 2195 issued under RIN 0584-AC95). This rule incorporates the proposed rule and interim rule into one final rule. Therefore, RIN 0584-AC21 was withdrawn, and the final provisions are issued under RIN 0584-AC95. The final rule adopts or modifies as necessary many of the provisions mandated by the statute and required by the interim rule. The objective is to provide consistency in procedures when

determining agencies' option to disclose children's eligibility information and to provide some protection against unauthorized disclosures and misuse of personal information, regardless of whether the disclosure is to Medicaid or SCHIP or to an education or other program. (00-004)

**TITLE: Senior Farmers' Market Nutrition Program (SFMNP)**

RIN: 0584-AD35

**ABSTRACT:** This final rule will implement the provision of the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171) that gives the Department the authority to promulgate regulations for the operation and administration of the SFMNP. The purposes of the SFMNP are to provide fresh, nutritious, unprepared locally grown fruits, vegetables, and herbs from farmers' markets, roadside stands, and community supported agriculture programs to low-income seniors and to increase the consumption of agricultural commodities by expanding, developing, and/or aiding in the development of domestic farmers' markets, roadside stands, and community supported agriculture programs. (02-012)

**TITLE: Economic Development Administration Regulations**

RIN: 0610-AA63

**ABSTRACT:** The Economic Development Administration will be considering and modifying its regulations to reflect the requirements of its reauthorizing legislation passed in 2004. The revisions will implement the changes made to the Public Works and Economic Development Act (PWEDA), as amended, by the reauthorizing legislation.

**TITLE: Specifications for the 2007 Fishing Year for the Summer Flounder, Scup, and Black Sea Bass Fisheries**

RIN: 0648-AT60

**ABSTRACT:** This action would establish specifications for the 2007 fishing year for the summer flounder, scup, and black sea bass fisheries.

**TITLE: Specifications for the 2007 Fishing Year for the Atlantic Bluefish Fishery**

RIN: 0648-AT67

**ABSTRACT:** This action would establish specifications for the Atlantic bluefish fishery for the 2007 fishing year.

**TITLE: List of Fisheries for 2006**

RIN: 0648-AU19

**ABSTRACT:** The List of Fisheries (LOF) for 2006 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 Marine Mammal Protection Act (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: Designation of Critical Habitat for the Southern Resident Killer Whale (*Orcinus orca*)**

RIN: 0648-AU38

**ABSTRACT:** The National Marine Fisheries Service is proposing to designate critical habitat for the endangered Southern Resident killer

whale (*Orcinus orca*), as required under the Endangered Species Act. Three specific areas proposed for designation comprise about 2,567 square miles of marine habitat in Puget Sound, Strait of Juan de Fuca, and San Juan Islands areas. We are soliciting public comment on this proposal. The final determination is due November 18, 2006.

**TITLE: List of Fisheries for 2007**

**RIN:** 0648-AV01

**ABSTRACT:** With this action, NMFS issues a rule to publish the annual List of Fisheries (LOF), as required by section 118 of the Marine Mammal Protection Act (MMPA). The proposed LOF for 2007 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: Quarterly Survey of Transactions in Selected Services and Intangible Assets With Foreign Persons**

**RIN:** 0691-AA61

**ABSTRACT:** This action would amend 15 CFR 801.9 to provide for the conduct of the Quarterly Survey of Transactions in Selected Services and Intangible Assets With Foreign Persons (the BE-125). The existing regulations implement a similar but more limited survey (the BE-25), which the new

survey will replace. In particular, the new survey would collect information on services transactions with affiliated as well as unaffiliated foreign parties, whereas the coverage of the existing survey is limited to transactions with unaffiliated foreigners. In addition, the new survey would provide for quarterly collection of data on some services transactions that previously had been collected annually.

**TITLE: Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons**

**RIN:** 0691-AA62

**ABSTRACT:** This action would amend 15 CFR 801.9 to provide for the conduct of the Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons (the BE-185). The existing regulations implement a similar but more limited survey (the BE-85), which the new survey would replace. In particular, the new survey would collect information on services transactions with affiliated as well as unaffiliated foreign parties, whereas the coverage of the existing survey is limited to transactions with unaffiliated foreigners.

**TITLE: Over-the-Counter (OTC) Drug Review--Cough/Cold (Bronchodilator) Products**

**RIN:** 0910-AF32

**ABSTRACT:** The OTC drug review establishes conditions under which OTC drugs are considered generally recognized as safe and effective and not misbranded. After a final monograph (i.e., final rule) is issued, only OTC drugs meeting the conditions of the monograph, or having an approved new drug application, may be legally

marketed. This action addresses labeling for these products.

**TITLE: Over-the-Counter (OTC) Drug Review--Dandruff, Seborrheic Dermatitis, and Psoriasis Products**

RIN: 0910-AF49

**ABSTRACT:** The OTC drug review establishes conditions under which OTC drugs are considered generally recognized as safe and effective and not misbranded. After a final monograph (i.e., final rule) is issued, only OTC drugs meeting the conditions of the monograph, or having an approved new drug application, may be legally marketed. This action addresses combinations containing coal tar solution and menthol in a shampoo product.

**TITLE: Over-the-Counter (OTC) Drug Review--Multiple Drug Products**

RIN: 0910-AG01

**ABSTRACT:** Amendments to the Federal Food, Drug, and Cosmetic Act (the act) necessitate several changes to the citations used in Food and Drug Administration (FDA) regulations regarding the prescription-exemption procedure and the list of new drugs that are exempted from the prescription-dispensing requirements. These changes are editorial, pertaining only to citations, and do not constitute a change in FDA regulation.

**TITLE: Nondiscrimination in Health Coverage in the Group Market (CMS-4081-F)**

RIN: 0938-AN29

**ABSTRACT:** This final rule governs the provisions prohibiting discrimination based on a health factor for group health plans and issuers of health insurance

coverage offered in connection with a group health plan. The rules contained in this document implement changes made to the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and the Public Health Service Act enacted as part of the Health Insurance Portability and Accountability Act of 1996. It also addresses comments we received on the Bonafide Wellness Plan proposed rule.

**TITLE: Program for All-Inclusive Care for the Elderly (PACE): Program Revisions (CMS-1201-F)**

RIN: 0938-AN83

**ABSTRACT:** This rule finalizes two interim final rules with comment periods. The November 24, 1999, rule established requirements for Programs of All-inclusive Care for the Elderly (PACE) under the Medicare and Medicaid programs and the October 1, 2002, rule implemented section 903 of BIPA. These are pre-paid, capitated programs for beneficiaries who meet special eligibility requirements and who elect to enroll.

**TITLE: Federal-State Unemployment Compensation Program; Eligibility**

RIN: 1205-AB41

**ABSTRACT:** Federal Unemployment Compensation (UC) law is inherently based on wage insurance principles. The regulation interprets and applies these principles, thereby establishing minimum standards that states will be required to meet if their employers are to continue to receive credit against the Federal unemployment tax and if the state is to continue to receive UC administrative grants.

**TITLE: Administrative Offset Under Reciprocal Agreements with States**

**RIN:** 1510-AB09

**ABSTRACT:** This rule implements 31 U.S.C. 3716(h), which provides for the administrative offset of Federal payments to collect delinquent debts owed to States, provided the State has entered into a reciprocal agreement with the Secretary of the Treasury. This rule will not address past-due support debts, which are collected pursuant to 31 CFR 285.1.

**TITLE: Debt Collection**

**RIN:** 1660-AA05

**ABSTRACT:** Under this rule, FEMA refers delinquent debts owed to this agency to the Department of the Treasury for collection under the Governmentwide Treasury Offset Program and for tax-refund offsets at the same time. FEMA amends its regulations to allow administrative offset against delinquent debtor States and units of general local Government. FEMA also amends its regulations to change the method for calculating interest, penalty, and administrative charges assessed on delinquent debts and to make States and units of general local government subject to such changes. 1601-AA23 completely removed 44 CFR Part 11 Subpart C. Therefore, 1660-AA05 is no longer necessary.

**TITLE: State-Administered Programs**

**RIN:** 1890-AA13

**ABSTRACT:** The Department amends the regulations in 34 CFR part 76 governing State reporting requirements. Under these regulations, States are required to submit their performance reports, financial reports, and any other

required reports, in the manner prescribed by the Secretary, including through electronic submission, if the Secretary has obtained approval from the Office of Management and Budget under the Paperwork Reduction Act of 1995. The amended regulations provide that: (1) Failure to submit these reports in the manner prescribed by the Secretary constitutes a failure, under section 454 of the General Education Provisions Act, 20 U.S.C. 1234c, to comply substantially with a requirement of law applicable to the funds made available under the program for which the reports are submitted; and (2) if the Secretary chooses to require submission of information electronically, the Secretary may establish a transition period during which a State would not be required to submit that information electronically in the format prescribed by the Secretary, if the State meets certain requirements.

**TITLE: Rulemaking To Codify Test Procedures Prescribed in EPACT 2005 Into the Code of Federal Regulations**

**RIN:** 1904-AB53

**ABSTRACT:** The Energy Policy Act of 2005 (EPACT 2005) establishes test procedures for numerous consumer products and items of industrial or commercial equipment. In order to maintain the consistency and completeness of the Department's test procedure regulations codified in 10 CFR 430 and 431 and to aid interested parties in locating and using the new regulatory information, DOE promulgated those test procedures set forth in EPACT 2005. This rulemaking covered the following products and equipment: Commercial refrigerators, freezers, and refrigerator-freezers; remote condensing commercial

refrigerators, refrigerator-freezers, and freezers; commercial icemakers; residential dehumidifiers; commercial clothes washers; ceiling fans; illuminated exit signs; medium base compact fluorescent lamps; torchieres; traffic signal modules and pedestrian modules; small commercial package air-conditioning and heating equipment; large commercial package air-conditioning and heating equipment; very large commercial package air-conditioning and heating equipment; commercial prerinse spray valves; low-voltage dry-type distribution transformers; and battery chargers and external power supplies.

**TITLE: Compliance Waivers for the Alternative Fuel Transportation Program**

RIN: 1904-AB66

**ABSTRACT:** State entities and alternative fuel providers subject to alternative fuel vehicle acquisition requirements may request waiver of those requirements if their vehicle fleet will achieve a specified reduction in consumption of petroleum motor fuel. This rulemaking establishes procedures for the submission of, and action on, requests for waiver.

**TITLE: Utilization of Small, Minority, and Women's Business Enterprises in Procurement Under Assistance Agreements**

RIN: 2020-AA38

**ABSTRACT:** The regulation will codify revisions to the Agency's program for the utilization of Small, Minority, and Women's Business Enterprises in procurements under assistance agreements (i.e., grants and cooperative agreements awarded by EPA as well as grants and cooperative agreements

awarded by other agencies under interagency agreements with EPA). The revisions are necessary to ensure consistency with the Supreme Court's decision in *Adarand Constructors, Inc. v. Peña*, 115 S.Ct. 2097 (1995), and were identified as part of the Clinton Administration's review of affirmative action programs. They include: (1) Placing greater emphasis on requiring assistance agreement recipients to submit documentation supporting proposed fair share procurement objectives for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) based on the availability of qualified MBEs and WBEs in the relevant geographic market; (2) authorizing or requiring recipients and their prime contractors to take reasonable race/gender-conscious measures (e.g., bidding credits) in the event that race/gender-neutral efforts prove inadequate to meet fair share objectives; and (3) administering statutory MBE/WBE objectives as a national goal, allowing smaller or larger fair share objectives for particular grants or cooperative agreements based on the availability standard.

**TITLE: Toxics Release Inventory Reporting Burden Reduction Rule**

RIN: 2025-AA14

**ABSTRACT:** The primary goal of this effort by EPA is to reduce burdens associated with Toxics Release Inventory (TRI) reporting while at the same time continuing to provide valuable information to the public consistent with the goals and statutory requirements of the TRI program.

**TITLE: Test Procedures: New and Updated Test Procedures for the Analysis of Pollutants Under the**

**Clean Water Act and Safe Drinking Water Act****RIN:** 2040-AD71

**ABSTRACT:** This regulatory action would amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under 40 CFR part 136 and the National Primary Drinking Water Regulations under 40 CFR part 141 to approve new and updated EPA methods for wastewater, ambient water quality, and drinking water, including new and updated versions of methods from voluntary consensus standards bodies and other organizations. These methods are used to comply with monitoring requirements in the wastewater, ambient water quality, and/or drinking water programs, as authorized under the Clean Water Act and Safe Drinking Water Act. The proposal included new methods for metals, such as Method 200.8 (which utilizes ICP/MS); new methods for chemical pollutants (e.g., Method 245.7); and updated methods for chemical pollutants (e.g., Methods 300.1 and 200.7), including methods from voluntary consensus standards bodies and from other external organizations submitted under EPA's alternate test procedure program. The new and updated methods include methods from organizations such as the American Society for Testing and Materials, International Standard Methods, and the Association of Official Analytical Chemists-International.

**TITLE: Unregulated Contaminant Monitoring Regulation for Public Water Systems Revisions****RIN:** 2040-AD93

**ABSTRACT:** The 1996 amendments to the Safe Drinking Water Act require the Agency to publish, every 5 years, a

revised listing of the contaminants to be monitored under the UCMR. The purpose of this action is to meet that requirement by revising the National Primary Drinking Water Regulations for the UCMR by making minor modifications to the current UCMR program to improve its implementation, to revise the lists of analyses to permit a second round of monitoring, and to approve the analytical methods needed to perform this monitoring.

**TITLE: Rulemaking on Direct Application of Pesticides to Waters of the United States in Compliance With FIFRA****RIN:** 2040-AE79

**ABSTRACT:** EPA is working to take final action on its February 1, 2005, proposed rulemaking and interpretive statement entitled "Application of Pesticides to Waters of the United States in Compliance with FIFRA." The proposed rulemaking would revise the NPDES permit program regulations to clarify that, when pesticides are applied to waters of the United States in compliance with FIFRA, an NPDES permit is not required in two circumstances: (1) The application of pesticides directly to waters of the United States in order to control pests. Examples of such applications include applications to control mosquito larvae, aquatic weeds, or other pests that are present in the waters of the United States. (2) The application of pesticides to control pests that are present over waters of the United States, including near such waters, that results in a portion of the pesticides being deposited to waters of the United States; for example, when insecticides are aerially applied to a forest canopy where waters of the United States may be present below the



canopy or when pesticides are applied over, including near, water for control of adult mosquitoes or other pests.

**TITLE: Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Requirements--Amendments**

**RIN:** 2050-AG23

**ABSTRACT:** The Environmental Protection Agency (EPA or the Agency) amended the Spill Prevention, Control, and Countermeasure (SPCC) Plan requirements by: First, providing the option for owners and operators of facilities that store 10,000 gallons of oil or less and meet other qualifying criteria to self-certify their SPCC Plans in lieu of review and certification by a Professional Engineer; second, providing an alternative to the general secondary containment requirement without requiring a determination of impracticability for facilities that have particular types of oil-filled equipment; third, defining and exempting particular vehicle fuel tanks and other on-board bulk oil storage containers used for motive power; and fourth, exempting mobile refuelers from the sized secondary containment requirements for bulk storage containers. The Agency also removed and reserved the SPCC requirements for animal fats and vegetable oils that are specific to onshore oil production facilities, onshore oil drilling and workover facilities, and offshore oil drilling, production, or workover facilities. Finally, the Agency extended the SPCC compliance dates for farms. These changes significantly reduce the burden imposed on the regulated community for complying with the SPCC requirements, while maintaining protection of human health and the environment. In a separate

document in the Federal Register, the Agency proposed to extend the compliance dates for all facilities.

**TITLE: Nonattainment Major New Source Review (NSR)**

**RIN:** 2060-AM59

**ABSTRACT:** This action will promulgate changes to regulations that govern NSR permitting of major stationary sources in nonattainment areas where there is no approved SIP. Appendix S of 40 CFR part 51 contains the permitting program for major stationary sources in nonattainment areas in transition periods before approval of a SIP to implement part D of title I. This action will revise appendix S to conform it to the changes made to regulations at 40 CFR 51.165 for SIP programs for nonattainment major NSR (67 FR 80816; December 31, 2002).

**TITLE: Treatment of Data Influenced by Exceptional Events**

**RIN:** 2060-AN40

**ABSTRACT:** This regulation would codify EPA policy concerning how to address air quality data that has been identified as being affected by exceptional, natural, or international events. The rulemaking provides guidance to State, local, and Tribal air quality agencies on how to address the air quality and public health impacts caused by these types of events. EPA is developing this rule to better address situations where data resulting from uncontrollable, natural, or exceptional events--for example forest fires, structural fires, high wind, volcanic or seismic activities--may require special consideration. In some cases, it may be appropriate to exclude data from such events from regulatory consideration because they could result in

inappropriate air quality values being compared with the level of the affected air quality standard. In other cases it may be appropriate to retain the data for comparison with the level of the affected standard and then allow EPA time to formulate the appropriate regulatory response.

**TITLE: Interpretive Rulemaking To Clarify the Scope of Certain Monitoring Requirements for Federal and State Operating Permits Programs**

RIN: 2060-AN74

**ABSTRACT:** The purpose of this action is to respond to comments and finalize an interpretation of certain existing regulatory language relative to the need to address the sufficiency of existing monitoring requirements included in State and Federal operating permits programs developed under title V of the Clean Air Act (Act). Specifically, our proposed interpretation was that sections 70.6(c)(1) and 71.6(c)(1) of 40 CFR parts 70 and 71 (previously referred to as the Umbrella Monitoring Rule) do not provide a basis for assessing the adequacy of or adding monitoring requirements to operating permits, independent of such monitoring required under existing Federal air pollution control rules and State implementation plan (SIP) rules (i.e., monitoring required under applicable requirements), including monitoring required under the part 64 (the compliance assurance monitoring or CAM, rule) where it applies, and such monitoring as may be required to fill gaps under the separate periodic monitoring requirements of the operating permits rules. EPA also formally withdrew a September 17, 2002, proposal to revise these paragraphs in parts 70 and 71. The final

action will implement the interpretation consistent with our responses to public comments.

**TITLE: Final Extension of the Deferred Effective Date of Non-Attainment Designations for 8-Hour Ozone NAAQS for Early Action Compact Areas**

RIN: 2060-AN90

**ABSTRACT:** This rule proposes to defer the effective date of nonattainment designations for 14 areas of the country that have entered into Early Action Compacts (EACs) with EPA until April 15, 2008. These EAC areas have agreed to reduce ground-level ozone pollution earlier than the Clean Air Act requires and to attain the National Ambient Air Quality Standards (NAAQS) for ozone by December 31, 2007. This rule will establish a final deferred effective date of nonattainment designations of April 15, 2008, for compact areas or portions of compact areas, so long as these areas meet agreed-upon milestones. The current effective date of nonattainment designation for these EAC areas has been deferred until December 31, 2006, for those communities that continue to fulfill all compact obligations. This action must be finalized and published in the Federal Register by November 30, 2006, or the 14 EAC areas with deferred nonattainment designations will automatically lose their deferred designations and have nonattainment designations.

**TITLE: Notice of Status of Submission of Clean Air Mercury Rule (CAMR) State Plans for New and Existing Stationary Sources: Electric Utility Steam Generating Units**

RIN: 2060-AO08

**ABSTRACT:** CAMR requires that States and Tribes submit, by November 17, 2006, plans that detail how they will achieve the mandated mercury emission reductions. At present, some States have submitted plans, others are still in the process of developing plans, and some are choosing not to submit but to instead use the Federal Plan (which is soon to be proposed). This rule makes a finding that certain States submitted CAMR State Plans by the November deadline. In conjunction with this rule, EPA will send letters to each State or Tribe as a courtesy. This rule does not modify CAMR in any way and simply serves to acknowledge submission of State Plans by the deadline. The rule also acknowledges the efforts of those States and Tribes that have not yet submitted a plan and reaffirms EPA's preference to use States' and Tribes' approaches to achieving the required emission reductions, rather than using a Federal Plan.

**TITLE: Implementation of the 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) Phase II: Correction Notice**

**RIN:** 2060-AO22

**ABSTRACT:** This notice makes corrections to the preamble of the final Phase 2 rule To Implement the 8-Hour Ozone National Ambient Air Quality Standards (NAAQS). The preamble of the Phase 2 rule cites section 172(e) of the Clean Air Act (CAA) in the discussion of reasonable further progress requirements, and this correction notice clarifies that section 172(c) of the CAA should have been cited. This notice is modifying several incorrect citations in appendix A of the preamble to the Phase 2 rule; that appendix addresses

calculation of reasonable further progress (RFP) targets.

**TITLE: Worker Visibility**

**RIN:** 2125-AF11

**ABSTRACT:** Pursuant to SAFETEA-LU, this regulation would require workers whose duties place them on or in close proximity to a Federal-aid Highway to wear high visibility garments.

**TITLE: Surface Transportation Project Delivery Pilot Program**

**RIN:** 2125-AF13

**ABSTRACT:** This rulemaking would establish requirements relating to information required to be contained in any application of a State to participate in the Surface Transportation Project Delivery Pilot Program.

**TITLE: Traffic Control Devices on Federal-Aid and Other Streets and Highways; Standards**

**RIN:** 2125-AF16

**ABSTRACT:** This rulemaking would revise the FHWA regulations that prescribe procedures for obtaining basic uniformity of traffic control devices on Federal-aid and other streets and highways. This rulemaking also would make some nomenclature changes, provide clarification on the meaning of substantial conformance and roads open to public travel, and would remove certain outdated references.

**TITLE: Size and Weight Enforcement and Regulations**

**RIN:** 2125-AF17

**ABSTRACT:** This rulemaking would update the regulations governing the enforcement of commercial vehicle size and weight to incorporate provisions enacted in SAFETEA-LU, remove and

correct outdated references, and clarify the usage of the terms "recreational vehicles" and "nondivisible vehicles or loads."

**TITLE: Construction and Maintenance**

**RIN:** 2125-AF18

**ABSTRACT:** This rulemaking would revise certain provisions in 23 CFR part 635, subpart D, to comply with section 5514 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) that requires the FHWA to ensure that the States provide for competition with respect to the specification of alternative types of culvert pipes.

**TITLE: Program Fraud Civil Remedies**

**RIN:** 3045-AA42

**ABSTRACT:** This action proposes to implement the Program Fraud Civil Remedies Act of 1986.

**TITLE: Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, & Allocation of Spectrum in the 17.3-17.8 and 24.75-25.25 GHz Bands for Broadcast Satellite Service Use**

**RIN:** 3060-AI46

**ABSTRACT:** This item addresses how the 17.7-19.7 GHz band is to be shared among various services, including the Fixed Satellite Service, the Fixed Services, and the Broadcast Satellite Service. The item also addresses the blanket licensing of Fixed Satellite Service Earth Stations in the Ka-band. Finally, it addresses a new allocation for the Broadcast Satellite Service.

**TITLE: WRC-03 Omnibus (ET Doc. No. 04-139)**

**RIN:** 3060-AI51

**ABSTRACT:** The Notice of Proposed Rulemaking proposes to amend its rules in order to complete the domestic implementation of allocation decisions from the World Radiocommunication Conference (Geneva 2003)(WRC-03) concerning the frequency bands between 5900 kHz and 27.5 GHz and to otherwise update its rules in this frequency range. At the request of the National Telecommunications and Information Administration (NTIA), we also propose allocation changes for Federal Government.

The Report and Order implemented allocation changes to the frequency range between 5900 kHz and 27.5 GHz in furtherance of decisions that were made at the World Radiocommunication Conference (Geneva, 2003) (WRC-03) and updated the Commission's rules in this frequency range. The Federal Communications Commission (Commission) took this action in order to conform its Rules, to the extent practical, to the decisions that the international community made at WRC-03. This action will promote the advancement of new and expanded services and provide significant benefits to the American public.

**TITLE: Trade Regulation Rule on Franchising and Business Opportunity Ventures**

**RIN:** 3084-AA63

**ABSTRACT:** The Federal Trade Commission's Trade Regulation Rule on Franchising and Business Opportunity Ventures (Franchise Rule) became effective on October 21, 1979. The rule is designed to reduce deceptive and unfair practices in the sale of franchises and business opportunities by requiring the pre-sale disclosure of material

information about the franchise. For example, the rule requires franchisors to disclose their business background and litigation history, as well as the number of failed and terminated franchise units. The rule also requires the disclosure of material terms of the franchise relationship, such as recurring fees and termination and renewal rights. The rule further requires the franchisor to provide an audited financial statement for the most recent 3 fiscal years. Finally, the rule requires any franchisor who makes earnings representations to provide the prospective franchisee with an earnings claims document that substantiates those claims.

On February 28, 1997, the Commission published an advance notice of proposed rulemaking (ANPRM) contemplating amendments that would address new technologies and market practices and, at the same time, reduce unnecessary regulatory burdens. The Commission specifically requested comments on whether to revise the rule to more closely align Federal and State disclosure requirements governing franchise sales and to address changes in the marketing of franchises, such as the sale of franchises internationally and through the Internet. Six public workshops were held in five cities during 1997 to promote discussions about the issues, allow the public to make statements on the record, and assist Commission staff in drafting a proposed amended rule.

On October 22, 1999, the Commission published a notice of proposed rulemaking (NPRM) with a text of the revised rule. Comments were accepted until December 21, 1999, and rebuttal comments were accepted until January 31, 2000. Commission staff issued a report titled "Disclosure Requirements

and Prohibitions Concerning Franchising" on August 25, 2004, and published a request for comments which ended on November 11, 2004. 69 FR 53661 (Sept. 2, 2004). The Commission did not review or approve the staff report prior to its issuance.

On January 22, 2007, the Commission announced that it was retaining the Franchise Rule while updating it to account for new technologies and to provide prospective franchisees with more disclosure about the nature of the franchise relationship, while minimizing the discrepancies between Federal and State law. 72 FR 15444 (Mar. 30, 2007). The amended Rule has a phased-in effective date which will be fully effective on July 1, 2008.

**TITLE: Accuracy of Advertising and Notice of Insured Status**

**RIN:** 3133-AD29

**ABSTRACT:** NCUA amended part 740 of NCUA's regulations to revise the official sign indicating a credit union's share accounts are insured by NCUA, to reflect recent share insurance increases, and by including a statement that NCUA insured accounts are backed by the full faith and credit of the United States Government.

**TITLE: Regulation: E--Electronic Funds Transfers (Docket Number: R-1247)**

**RIN:** 7100-AD01

**ABSTRACT:** The interim final rule provides that payroll card accounts established directly or indirectly by an employer on behalf of a consumer to which electronic funds transfers of the consumer's salary, wages, or other employee compensation are made on a recurring basis are accounts covered by Regulation E.