

integrity of the family as an institution. Accordingly, Western has concluded that it is not necessary to prepare a Family Policymaking Assessment.

I. Review Under Executive Order 13084

Under Executive Order 13084 (Consultation and Coordination with Indian Tribal Governments), Western may not issue a discretionary rule that significantly or uniquely affects Indian Tribal Governments and imposes substantial direct compliance costs. The amendments involved in this rulemaking would not have such effects. Accordingly, Executive Order 13084 does not apply to this rulemaking.

J. Review Under the Small Business Regulatory Enforcement Fairness Act of 1996

As required by 5 U.S.C. 801, DOE will report to Congress on the promulgation of the rule prior to its effective date. The report will state that it has been determined that the rule is not a "major rule" as defined by 5 U.S.C. 804(2).

K. Approval of the Office of the Secretary

The Secretary of Energy has approved the publication of today's final rule.

List of Subjects in 10 CFR Part 905

Electric power, Electric utilities, Energy, Energy conservation, Hydroelectric power and utilities, Reporting and recordkeeping requirements, Resource planning.

■ For the reasons set forth in the preamble, 10 CFR part 905 is amended as set forth below:

PART 905—ENERGY PLANNING AND MANAGEMENT PROGRAM

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

Authority: 42 U.S.C. 7152, 7191; 42 U.S.C. 7275–7276c.

■ 2. Section 905.11(b)(4)(i) is revised to read as follows:

§ 905.11 What must an IRP include?

* * * * *

- (b) * * *
(4) * * *

(i) As part of the public participation process for an MBA, the governing body of an MBA must approve the IRP in accordance with the MBA's by-laws, confirming that all requirements have been met. To indicate approval in the case of an individual IRP submitted by an entity with a board of directors or city council, a responsible official must sign the IRP submitted to Western or the customer must document passage of an approval resolution by the appropriate

governing body included or referred to in the IRP.

* * * * *

■ 3. Section 905.12(b)(3) is revised to read as follows:

§ 905.12 How must IRPs be submitted?

* * * * *

- (b) * * *

(3) Customers may submit IRPs as regional/IRP cooperatives when previously approved by Western. Western encourages customers to prepare "regional" IRPs. Regional IRPs are voluntary and participants need not be members of an MBA or a Western customer. Regional/IRP cooperatives may also submit small customer plans, minimum investment reports, and EE/RE reports on behalf of eligible IRP cooperative members.

* * * * *

■ 4. Section 905.23 is revised to read as follows:

§ 905.23 What are the opportunities for using the Freedom of Information Act to request plan and report data?

IRPs, small customer plans, minimum investment reports and EE/RE reports and associated data submitted to Western are subject to the Freedom of Information Act (FOIA) and may be made available to the public upon request. IRPs must be posted on a customer's publicly available Web site or on Western's Web site. Customers posting their IRPs on their own Web site must notify Western of this decision when they submit their IRP. A hotlink on Western's Web site to IRPs posted on customer Web sites gives interested parties ready access to those IRPs. Western will post on its Web site the IRPs of customers that do not post on their own Web sites. Prior to posting, Western will provide the customer the opportunity to submit its views on whether information contained in the IRP is exempt from the FOIA's mandatory public disclosure requirements. Customers may request confidential treatment of all or part of a submitted document consistent with FOIA exemptions. Western will determine whether particular information is exempt from public access. Western will not disclose to the public information it has determined to be exempt, recognizing that certain competition-related customer information may be proprietary.

Dated: May 29, 2008.

Timothy J. Meeks, Administrator.

[FR Doc. E8-14031 Filed 6-19-08; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

Miscellaneous Markings and Placards

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: This action corrects a typographical error that appeared in a final rule, which the FAA published in the Federal Register. In that final rule, the FAA inadvertently changed a word. The intent of this action is to correct the error in the regulation to ensure the requirement is clear and accurate.

DATES: Effective Dates: Effective on June 20, 2008.

FOR FURTHER INFORMATION CONTACT: Robert Stegeman, Regulations and Policy, ACE-111, Federal Aviation Administration, 901 Locust Street, Kansas City, MO 64106; telephone (816) 329-4140; e-mail robert.stegeman@faa.gov.

SUPPLEMENTARY INFORMATION: On August 6, 1993, the FAA published in the Federal Register (58 FR 42166) a final rule that, among other changes, amended § 23.1557(c)(1). In revising § 23.1557(c)(1), the word "filler" was inadvertently changed to "filter." This document corrects § 23.1557(c)(1) to reflect the correct word "filler." This correction will not impose any additional requirements.

Technical Amendment

This technical amendment corrects a typographical error that appears in 14 CFR 23.1557(c)(1).

Justification for Immediate Adoption

Because this action corrects merely a typographical error, the FAA finds that notice and public comment under 5 U.S.C. 553(b) is unnecessary. For the same reason, the FAA finds that good cause exists under 5 U.S.C. 553(d) for making this rule effective upon publication.

List of Subjects in 14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

The Amendment

■ Accordingly, Title 14 of the Code of Federal Regulations (CFR) part 23 is amended as follows:

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, ACROBATIC, AND COMMUTER CATEGORY AIRPLANES

■ 1. The authority citation for part 23 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40013, 44701, 44702, 44704.

■ 2. Amend § 23.1557 by revising § 23.1557(c)(1) introductory text to read as follows:

§ 23.1557 Miscellaneous markings and placards.

* * * * *

(c) * * *

(1) Fuel filler openings must be marked at or near the filler cover with—

* * * * *

Issued in Washington, DC on June 16, 2008.

Pamela Hamilton-Powell,

Director, Office of Rulemaking.

[FR Doc. E8–13900 Filed 6–19–08; 8:45 am]

BILLING CODE 4910–13–P

EXECUTIVE OFFICE OF THE PRESIDENT

Office of the United States Trade Representative

15 CFR Part 2004

Freedom of Information Act

AGENCY: Office of the United States Trade Representative, Executive Office of the President.

ACTION: Final rule.

SUMMARY: The Office of the United States Trade Representative (USTR) is issuing a final rule to update its Freedom of Information Act (FOIA) regulations. USTR last made changes to its FOIA regulations in 1975. Since that time the information relating to USTR has changed and there have been several changes to the FOIA, which needed to be reflected in the regulations.

DATES: *Effective Date:* July 21, 2008.

FOR FURTHER INFORMATION CONTACT: David Apol, USTR, telephone (202) 395–9633, FAX (202) 395–3640.

SUPPLEMENTARY INFORMATION: USTR last made changes to its FOIA regulations in 1975. 40 FR 30934, Jul. 24, 1975.

Since that time, pertinent information relating to USTR has changed and USTR has made changes in the way it implements the FOIA. In addition, Executive Order 13392 mandated changes in federal agency FOIA practices to ensure prompt and effective response to the public's requests for

information. 70 FR 75373, Dec. 19, 2005. Finally, Public Law 110–175, the OPEN Government Act of 2007, amended the definition of “representative of the news media” and made other changes to the FOIA.

In response to Executive Order 13392, USTR created a FOIA plan requiring it to revise its FOIA regulations and to improve the efficiency of information disclosure under the FOIA. On February 14, 2008, USTR published a proposed rule in the **Federal Register**, 73 FR 8629, to amend its FOIA regulations and requested public comments. USTR received no comments during the 60-day comment period. USTR's final regulations are identical to those in the proposed rule.

This final rule updates USTR's FOIA regulations to provide current information about USTR and to more accurately reflect its FOIA practices. The final rule also brings USTR's fee structure into conformity with the Office of Management and Budget's (OMB's) Uniform Freedom of Information Act Fee Schedule and Guidelines, 52 FR 10012, Mar. 27, 1987. The final rule also incorporates changes made by the OPEN Government Act of 2007.

Executive Order 12866

The United States Trade Representative certifies that the final rule is not significant for purposes of Executive Order 12866, 58 FR 51735, Oct. 4, 1993. Therefore, OMB has not reviewed the final rule under that Executive Order.

Regulatory Flexibility Act

The United States Trade Representative certifies that this final rule is not subject to the Regulatory Flexibility Act, 5 U.S.C. 601, because it will not have a significant economic impact on a substantial number of small entities. For this reason, USTR has not prepared a Regulatory Flexibility Statement and Analysis.

Paperwork Reduction Act

The United States Trade Representative certifies that the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, does not apply because the final rule does not seek to collect information. Therefore, it does not require OMB approval.

■ For the reasons stated in the preamble, USTR revises 15 CFR Part 2004 to read as follows:

PART 2004—FREEDOM OF INFORMATION POLICIES AND PROCEDURES

Organization

Sec.

2004.1 In general.

2004.2 Authority and functions.

2004.3 Organization.

Procedures

2004.4 Availability of records.

2004.5 Accessing records without request.

2004.6 Requesting records.

Costs

2004.7 Definitions.

2004.8 Fees in general.

2004.9 Fees for categories of requesters.

2004.10 Other charges.

2004.11 Payment and waiver.

Authority: 5 U.S.C. 552; Uniform Freedom of Information Act Fee Schedule and Guidelines, 52 FR 10012, Mar. 27, 1987.

Organization

§ 2004.1 In general.

This information is furnished for the guidance of the public and in compliance with the requirements of the Freedom of Information Act, 5 U.S.C. 552, as amended (FOIA). This regulation should be read in conjunction with the FOIA.

§ 2004.2 Authority and functions.

The Office of the United States Trade Representative (USTR) negotiates directly with foreign governments to conclude trade agreements, and resolve trade disputes, and participates in global trade policy organizations. USTR consults with governments, business groups, legislators, and public interest groups to obtain their views on trade issues and explain the President's trade policy positions. The general functions of USTR, as provided by statute, are to develop and coordinate international trade and direct investment policy, advise and assist the President, represent the United States in international trade negotiations, and provide policy guidance to federal agencies on international trade matters. The United States Trade Representative, a cabinet officer, serves as a vice chairman of the Overseas Private Investment Corporation, a Board member of the Millennium Challenge Corporation, a non-voting member of the Export-Import Bank, and a member of the National Advisory Council on International Monetary and Financial Policies.

§ 2004.3 Organization.

USTR's main office is located in Washington, DC. It also maintains a mission in Geneva, Switzerland.