

NPRM proposed to change current regulations so that Burlington Northern Railroad, the owner of the Chambers Creek Bridge, would only have been required to raise the draw of the bridge between 3:30 p.m. and 7 a.m. everyday if at least two hours of notice is provided. At all other times the draw would have been required to be raised on signal.

Withdrawal

The NPRM is being withdrawn because of multiple objections to the change from users of the waterway in question and, in particular, the clients of the marina upstream of the Chambers Creek Bridge. The primary point of objection was that 3:30 p.m. was too early in the day, especially in summer boating season, to require a two-hour notice. This would pertain mostly to vessels returning to moorage at the end of a day of boating.

The Coast Guard received a total of 17 written responses. At least seven boaters suggested that a two-hour notice outside daylight hours would be feasible or a seasonal change outside the peak boating season. A dozen respondents pointed out that the draw records cited in the NPRM did not cover the peak summer months of boating. These records were no longer available from the bridge owner. Seven responses also noted that boaters often group together for a single draw opening thereby reducing the number of openings that otherwise would have been tallied for single-vessel passages. Additionally, several comments noted that tide elevations are a significant factor at Chambers Creek. Many lower tides stop boat traffic altogether and would fail to coincide favorably with the proposed hours.

No less than eleven responses cited numerous failures of the bridge owner to operate according to the existing regulations. The chief violations were reported as the absence of drawtenders and unreasonable delays to openings. At least two boat owners observed that cell phone coverage is not adequate for telephone contact by vessels returning to moorage from popular boating locations in Puget Sound that are two hours travel time from the marina. Several comments were concerned with delayed access of fireboats in the event of a marina fire.

Authority

This action is taken under the authority of 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

Dated: April 8, 2010.

G.T. Blore,

Rear Admiral, U.S. Coast Guard, Commander, Thirtieth Coast Guard District.

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

Western Interior Alaska Federal Subsistence Regional Advisory Council Meeting

AGENCY: Forest Service, Agriculture; Fish and Wildlife Service, Interior.

ACTION: Notice of meeting (teleconference).

SUMMARY: This document informs the public that the Western Interior Alaska Federal Subsistence Regional Advisory Council will hold a public meeting by teleconference on May 14, 2010. The public is invited to participate and to provide oral testimony.

DATES: May 14, 2010, at 11 a.m. For how to participate, please see

SUPPLEMENTARY INFORMATION below.

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Peter J. Probasco, Office of Subsistence Management, 1011 East Tudor Road, Anchorage, AK 99503, (907) 786-3888, or via e-mail at subsistence@fws.gov. For questions specific to National Forest System lands, please contact Steve Kessler, Subsistence Program Leader, USDA, Forest Service, 3301 C Street, Suite 202, Anchorage, AK 99503, (907) 743-9461, or via e-mail at skessler@fs.fed.us.

SUPPLEMENTARY INFORMATION: Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), this document announces a meeting of the Western Interior Alaska Federal Subsistence Regional Advisory Council. The Council will meet to discuss and form recommendations on fish and wildlife issues. This meeting is a follow-up to the Council's February 24-25, 2010, meeting. Completion of the agenda is dependent on the amount of time each item takes.

No preregistration is required and the public is invited to provide testimony.

To participate, call toll free 1-877-931-8150; the passcode is 3168014.

Authority: 16 U.S.C. 3, 472, 551, 668dd, 3101-3126; 18 U.S.C. 3551-3586; 43 U.S.C. 1733.

Peter J. Probasco,

Acting Chair, Federal Subsistence Board.

Steve Kessler,

Subsistence Program Leader, USDA-Forest Service.

[FR Doc. 2010-10136 Filed 4-29-10; 8:45 am]

BILLING CODE 3410-11-P; 4310-55-P

POSTAL SERVICE

39 CFR Part 111

Express Mail Next Day Delivery Postage Refund Amendment

AGENCY: Postal Service™.

ACTION: Proposed rule.

SUMMARY: The Postal Service is proposing to revise the *Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM®)* 114.2, 414.3, and 604.9, to state the conditions for Express Mail® Next Day Delivery postage refunds when shipments are mailed each year during the time period of December 22 through December 25.

DATES: We must receive your comments on or before June 1, 2010.

ADDRESSES: Mail or deliver written comments to the Manager, Mailing Standards, U.S. Postal Service, 475 L'Enfant Plaza, SW., Room 3436, Washington, DC 20260-3436. You may inspect and photocopy all written comments at USPS® Headquarters Library, 475 L'Enfant Plaza, SW., 11th Floor N, Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday. E-mail comments concerning the proposed rule, containing the name and address of the commenter, may be sent to: MailingStandards@usps.gov, with a subject line of "Express Mail Refunds." Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: Karen Key (202) 268-7492 or Carol A. Lunkins (202) 268-7262.

SUPPLEMENTARY INFORMATION: During the time period of December 22 through December 25, air transportation is subject to delay or cancellation.

Express Mail Next Day Delivery

Postage refunds will not be available for items mailed from December 22 through December 25 for Express Mail Next Day Delivery when those items are made available for pickup at the destination office, attempted for delivery, or delivered within two

business days. This proposed revision is consistent with industry standards.

However, Express Mail Next Day Delivery postage refunds will be authorized when items are not available for customer pickup at the destination office, or delivery to the addressee was not attempted within two business days. These refunds are subject to the standards for this service, unless the delay was caused by one of the situations in DMM 114.2.1, *Postage Not Refunded*, or DMM 414.3.0, *Postage Refunds*. Next Day Delivery may not be available at all times of deposit or between all Post Office™ facilities.

Express Mail Second Day Delivery

During the time period of December 22 through December 25, postage refunds for Express Mail Second Day Delivery shipments will be available for items not available for customer pickup at the destination office, or for which delivery to the addressee was not attempted on the second business day. These refunds are subject to the standards for this service, unless the delay was caused by one of the situations in DMM 114.2.1, *Postage Not Refunded*, or DMM 414.3.0, *Postage Refunds*.

Although we are exempt from the notice and comment requirements of the Administrative Procedure Act [5 U.S.C of 553 (b), (c)] regarding proposed rulemaking by 39 U.S.C. 410(a), we invite public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations*. See 39 CFR Part 111.1.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR Part 111 is proposed to be amended as follows:

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3622, 3626, 3632, 3633, and 5001.

2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as follows:

Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

* * * * *

100 Retail Letters, Cards, Flats, and Parcels

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110 Express Mail

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114 Postage Payment Methods

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2.0 Postage Refunds

[Delete the heading of 2.1 in its entirety and incorporate the introductory paragraph and remaining text into 2.0 as follows:]

Postage refunds may not be available if delivery was attempted within the times required for the specific service, or for any of the following reasons:

[Revise items a, b, and c of former 2.1, and add new items d through h as follows:]

- a. The item was properly detained for law enforcement purposes.
- b. The item was delayed due to strike or work stoppage.
- c. The item was delayed because of an incorrect ZIP Code or address; forwarding or return service was provided after the item was made available for claim.
- d. The shipment is available for delivery, but the addressee made a written request (*i.e.* Hold Mail request), that the shipment be held for a specific day(s).
- e. The delivery employee discovers that the shipment is undeliverable as addressed before leaving on the delivery route.
- f. If authorized by USPS Headquarters, and the delay was caused by governmental action beyond the control of USPS or air carriers; war, insurrection, or civil disturbance; delay or cancellation of flights; projected or scheduled transportation delays; breakdown of a substantial portion of USPS transportation network resulting from events or factors outside the control of USPS; or acts of God.

g. The shipment contained live animals and was delivered or delivery was attempted within three days of the date of mailing.

h. The Express Mail Next Day shipment was mailed December 22 through December 25 and was delivered or delivery was attempted within two business days of the date of mailing.

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400 Commercial Parcels

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410 Express Mail

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414 Postage Payment and Documentation

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3.0 Postage Refunds

Postage refunds may not be available if delivery was attempted within the times required for the specific service, or for any of the following reasons:

[Revise items a, b, c of 3.0, and add new items “d through h” as follows:]

- a. The item was properly detained for law enforcement purposes.
- b. The item was delayed due to strike or work stoppage.
- c. The item was delayed because of an incorrect ZIP Code or address; forwarding or return service was provided after the item was made available for claim.
- d. The shipment is available for delivery, but the addressee made a written request (*i.e.* Hold Mail request), that the shipment be held for a specific day(s).
- e. The delivery employee discovers that the shipment is undeliverable as addressed before leaving on the delivery route.
- f. If authorized by USPS Headquarters, and the delay was caused by governmental action beyond the control of USPS or air carriers; war, insurrection, or civil disturbance; delay or cancellation of flights; projected or scheduled transportation delays; breakdown of a substantial portion of USPS transportation network resulting from events or factors outside the control of USPS; or acts of God.
- g. The shipment contained live animals and was delivered or delivery was attempted within three days of the date of mailing.
- h. The Express Mail Next Day shipment was mailed December 22 through December 25 and was delivered or delivery was attempted within two business days of the date of mailing.

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600 Basic Standards for All Mailing Services

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604 Postage Payment Methods

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9.0 Refunds and Exchanges

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9.5 Express Mail Postage Refund

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9.5.2 Conditions for Refund

[Revise the introductory paragraph of 9.5.2 as follows:]

A refund request must be made within 90 days after the date of mailing. Except as provided in 114.2.1 and 414.3.1, a mailer may file for a postage refund only under one of the following circumstances:

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9.5.3 Refunds Not Given

[Revise 9.5.3 as follows:]

A postage refund will not be given if the guaranteed service was not provided due to any of the circumstances in 114.2.1 and 414.3.1.

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We will publish an appropriate amendment to 39 CFR 111 if our proposal is adopted.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 2010-10028 Filed 4-29-10; 8:45 am]

BILLING CODE 7710-12-P

DEPARTMENT OF DEFENSE**Defense Acquisition Regulations System****48 CFR Parts 211 and 252**

RIN 0750-AG55

Defense Federal Acquisition Regulation Supplement; Government-Assigned Serial Number Marking (DFARS Case 2008-D047)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule with request for comments.

SUMMARY: DoD proposes to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to require contractors to apply Government-assigned serial numbers in human-readable format on major end items, when required by law, regulation, or military operational necessity.

DATES: Comments on the proposed rule should be submitted in writing to the address shown below on or before June 29, 2010, to be considered in the formation of the final rule.

ADDRESSES: You may submit comments, identified by DFARS Case 2008-D047, using any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

E-mail: dfars@osd.mil. Include DFARS Case 2008-D047 in the subject line of the message.

Fax: 703-602-0350.

Mail: Defense Acquisition Regulations System, Attn: Ms. Mary Overstreet, OUSD(AT&L)DPAP(DARS), Room 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Overstreet, 703-602-0311.

SUPPLEMENTARY INFORMATION:**A. Background**

DoD proposes to amend the DFARS 211.274 to require contractors to apply Government-assigned serial numbers, such as tail numbers/hull numbers and equipment registration, in human-readable format on major end items, when required by law, regulation, or military operational necessity. The rule establishes a standard DoD method of specifying Government-assigned serial numbers contractually, and requires the contractor to associate these serial numbers with the Unique Item Identifier (UII) assigned by the contractor and to register them in the DoD Item Unique Identification (IUID) Registry along with the UII. The rule also requires agreement between the Government and contractor prior to use of the serial numbers in constructing the end item UII.

Application of these Government serial numbers is a standard practice because crew members and maintenance technicians have to distinguish visually individual end items during operations. The serial numbers are applied at minimal cost typically by painting them on an exterior surface with a stencil resulting in a human-readable format. The rule eliminates any ambiguity between the UII and the use of the Government-assigned serial number.

The rule also proposes a new clause, Use of Government-Assigned Serial Numbers, in solicitations and contracts that contain the clause at 252.211-7003, Item Identification and Valuation, and that require the contractor to mark major end items under the terms and conditions of the contract. The Government-assigned method of serialization outlined in this proposed rule allows the Government to use its internal serialization as a data key to existing DoD property management, logistics, and maintenance systems.

This regulatory action was subject to review under section 6(b) of Executive

Order 12866, Regulatory Planning and Review, dated September 30, 1993.

B. Regulatory Flexibility Act

DoD has prepared an initial regulatory flexibility analysis consistent with 5 U.S.C. 603. A copy of the analysis may be obtained from the point of contact specified herein. The analysis is summarized as follows:

This proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because any start-up costs that contractors will incur to comply with the rule are expected to be minimal, and should be offset by the reduced administrative costs that are expected to result from implementation of this rule. The objective of the rule is to improve the accountability and control of DoD assets. The proposed clause at 252.211-70XX, Use of Government-Assigned Serial Numbers, requires the Contractor to mark the Government-assigned serial numbers on those major end items as specified by line item in the Schedule, in accordance with the technical instructions for the placement and method of application identified in the terms and conditions of the contract, and to register the Government-assigned serial number along with the major end item's UII at the time of delivery in accordance with the provisions of the clause at DFARS 252.211-7003(d). Since DoD requires that the use of Government-assigned serial numbers be limited to satisfy requirements of law or regulation, or to facilitate the identification of major end items consistent with military operational requirements, *e.g.*, aircraft tail numbers or ship hull numbers in military operations, the number of small entities impacted by this rule is not expected to be substantial. At this time, DoD is unable to estimate the number of small entities to which this rule will apply. Therefore, DoD invites comments from small business and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2008-D047) in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act (Pub. L. 96-511) does not apply because the rule does not impose additional information collection requirements that