

TABLE 14.—PROJECTED IMPACT TO THE SNF PPS FOR FY 2008—Continued

	Number of facilities	Update wage data (percent)	Total FY 2008 change (percent)
Voluntary .....	3,472	– 0.1	3.2

<sup>1</sup> The Outlying region includes the following, noncontiguous jurisdictions referenced as States in §§ 1861(x) and 210(h) of the Social Security Act: Puerto Rico, the Virgin Islands, American Samoa, and Guam.

8. On page 43436, third column, lines 4–5, the figure “9.6 percent” is corrected to read “9.5 percent”.

9. On page 43446, the entry of “1.0937” that is displayed in Table 8 as the wage index value for CBSA Code 25540 (Hartford–West Hartford–East Hartford, CT) is corrected to read “1.0930”.

10. On page 43462, the entry of “1.1283” that is displayed in Table 9 as the wage index value for CBSA Code 7 (rural Connecticut) is corrected to read “1.1711”.

### III. Waiver of Proposed Rulemaking and Delayed Effective Date

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a notice such as this take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). We also ordinarily provide a 30-day delay in the effective date of the provisions of a notice in accordance with section 553(d) of the APA (5 U.S.C. 553(d)). However, we can waive both the notice and comment procedure and the 30-day delay in effective date if the Secretary finds, for good cause, that a notice and comment process is impracticable, unnecessary or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

We find for good cause that it is unnecessary to undertake notice and comment rulemaking because this notice merely provides technical corrections to the regulations. We are not making substantive changes to our payment methodologies or policies, but rather, are simply implementing correctly the payment methodologies and policies that we previously proposed, received comment on, and subsequently finalized. The public has already had the opportunity to comment on these payment methodologies and policies, and this correction notice is intended solely to ensure that the FY 2008 SNF PPS final rule accurately reflects them. Therefore, we believe that undertaking further notice and comment procedures to incorporate these corrections into the update notice is

unnecessary and contrary to the public interest.

Further, we believe a delayed effective date is unnecessary because this correction notice merely corrects inadvertent technical errors. The changes noted above do not make any substantive changes to the SNF PPS payment methodologies or policies. Moreover, we regard imposing a delay in the effective date as being contrary to the public interest. We believe that it is in the public interest for providers to receive appropriate SNF PPS payments in as timely a manner as possible and to ensure that the FY 2008 SNF PPS final rule accurately reflects our payment methodologies, payment rates, and policies. Therefore, we find good cause to waive notice and comment procedures, as well as the 30-day delay in effective date.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 17, 2007.

**Ann C. Agnew,**

*Executive Secretary to the Department.*

[FR Doc. E7–18732 Filed 9–27–07; 8:45 am]

**BILLING CODE 4120–01–P**

### DEPARTMENT OF HOMELAND SECURITY

#### Federal Emergency Management Agency

#### 44 CFR Part 64

#### Communities Eligible for the Sale of Insurance

##### CFR Correction

In Title 44 of the Code of Federal Regulations, revised as of October 1, 2006, on page 339, in § 64.4, paragraph (b), in the fourth sentence, remove the words “within the newly-month period,” and add the words “within the newly-acquired area the requirements of § 60.3(b) of this subchapter. During the six month period,” in their place.

[FR Doc. 07–55516 Filed 9–27–07; 8:45 am]

**BILLING CODE 1505–01–D**

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 0

#### Commission Organization

##### CFR Correction

In Title 47 of the Code of Federal Regulations, Parts 0 to 19, revised as of October 1, 2006, on page 45, in § 0.406, in paragraph (b)(2), the eighth sentence, beginning with “Additional procedures applicable . . .”, is removed and a sentence is added following the sixth sentence to read as follows:

#### § 0.406 The rules and regulations.

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \* Part 1, subpart E, of this chapter contains general rules and procedures applicable to common carriers. \* \* \*

\* \* \* \* \*

[FR Doc. 07–55514 Filed 9–27–07; 8:45 am]

**BILLING CODE 1505–01–D**

### DEPARTMENT OF DEFENSE

#### GENERAL SERVICES ADMINISTRATION

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Part 52

#### Solicitation Provisions and Contract Clauses

##### CFR Correction

In Title 48 of the Code of Federal Regulations, Chapter I (Parts 52 to 99), revised as of October 1, 2006, on page 80, in section 52.215–15, correct paragraph (b) and the source note to read as follows:

#### 52.215–15 Pension adjustments and asset reversions.

\* \* \* \* \*

(b) For segment closings, pension plan terminations, or curtailment of benefits, the amount of the adjustment shall be—

(1) For contracts and subcontracts that are subject to full coverage under the Cost Accounting Standards (CAS) Board rules and regulations (48 CFR Chapter 99), the amount

measured, assigned, and allocated in accordance with 48 CFR 9904.413–50(c)(12); and

(2) For contracts and subcontracts that are not subject to full coverage under the CAS, the amount measured, assigned, and allocated in accordance with 48 CFR 9904.413–50(c)(12), except the numerator of the fraction at 48 CFR 9904.413–50(c)(12)(vi) shall be the sum of the pension plan costs allocated to all non-CAS covered contracts and subcontracts that are subject to Federal Acquisition Regulation (FAR) Subpart 31.2 or for which cost or pricing data were submitted.

\* \* \* \* \*

[63 FR 58598, Oct. 30, 1998, as amended at 68 FR 69257, Dec. 11, 2003; 69 FR 59704, Oct. 5, 2004; 69 FR 60967, Oct. 14, 2004]

[FR Doc. 07–55518 Filed 9–27–07; 8:45 am]

BILLING CODE 1505–01–D

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Parts 1807 and 1817

#### Acquisition Planning and Special Contracting Methods

##### CFR Correction

In Title 48 of the Code of Federal Regulations, Chapters 15 to 28, revised as of October 1, 2006, on page 185, reinstate section 1807.7201, and on page 204, reinstate section 1817.7300 to read as follows:

##### 1807.7201 Definitions.

*Class of contracts* means a grouping of acquisitions, either by dollar value or by the nature of supplies and services to be acquired.

*Contract opportunity* means planned new contract awards exceeding \$25,000.

##### 1817.7300 Definitions.

(a) *Down-selection*. In a phased acquisition, the process of selecting contractors for later phases from among the preceding phase contractors.

(b) *Phased Acquisition*. An incremental acquisition implementation comprised of several distinct phases where the realization of program/project objectives requires a planned, sequential acquisition of each phase. The phases may be acquired separately, in combination, or through a down-selection strategy.

(c) *Progressive Competition*. A type of down-selection strategy for a phased acquisition. In this method, a single solicitation is issued for all phases of the program. The initial phase contracts are awarded, and the contractors for subsequent phases are expected to be chosen through a down-selection from among the preceding phase contractors.

In each phase, progressively fewer contracts are awarded until a single contractor is chosen for the final phase. Normally, all down-selections are accomplished without issuance of a new, formal solicitation.

[FR Doc. 07–55517 Filed 9–27–07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Part 171

[Docket No. PHMSA–2005–23141 (HM–215F)]

RIN 2137–AE01

#### Hazardous Materials: Revision and Reformatting of Requirements for the Authorization To Use International Transport Standards and Regulations; Correction

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** On May 3, 2007, PHMSA published a final rule to amend the Hazardous Materials Regulations (HMR; Parts 171–180) by revising and consolidating the requirements applicable to the use of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air, the International Maritime Dangerous Goods Code, the Canadian Transport of Dangerous Goods Regulations, and the International Atomic Energy Agency Safety Standards Series: Regulations for the Safe Transport of Radioactive Material. This rule corrects errors in the final rule.

**DATES:** *Effective date:* September 28, 2007.

**FOR FURTHER INFORMATION CONTACT:** Joan McIntyre or Kurt Eichenlaub, Office of Hazardous Materials Standards, (202) 366–8553, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 3, 2007, the Pipeline and Hazardous Materials Safety Administration (PHMSA, we) published a final rule under Docket No. PHMSA–2005–23141 (HM–215F) to amend the Hazardous Materials Regulations (HMR;

49 CFR Parts 171–180) by revising and consolidating the requirements applicable to the use of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air, the International Maritime Dangerous Goods Code, the Canadian Transport of Dangerous Goods Regulations, and the International Atomic Energy Agency Safety Standards Series: Regulations for the Safe Transport of Radioactive Material. The final rule is effective as of October 1, 2007.

The Dangerous Goods Advisory Council (DGAC), an organization of industry stakeholders, filed an appeal to the May 3 final rule on June 4, 2007. We are addressing most elements of DGAC's appeal in a separate response, which will be included in the docket for this rulemaking. In the meantime, we are issuing this correction to address certain errors that DGAC identified in the text of the May 3 final rule.

##### Correction

The May 5 final rule added a new § 171.22, which provides authorization and conditions for the use of international standards and regulations for the commercial transportation of hazardous materials to, from, or within the United States. Paragraph (g) of this section requires shipments to conform to applicable HMR requirements, including the general packaging requirements in §§ 173.24 and 173.24a and the reuse, reconditioning, and remanufacture requirements in § 173.28. The notice of proposed rulemaking issued under this docket on January 27, 2006 (71 FR 4544) proposed to apply these requirements “for export shipments”. The phrase “for export shipments” was inadvertently dropped from the May 3 final rule. It was not our intention to require compliance with §§ 173.24, 173.24a, or 173.28 for import shipments. Therefore, in this final rule, we are reinserting the phrase “for export shipments” in paragraphs (g)(5) and (g)(6) of § 173.22.

The DGAC appeal also identifies a typographical error in § 171.12(a)(2). Use of the term “subpart” in § 171.12(a)(2) is incorrect. This paragraph should read: “When the provisions of this subchapter require a DOT specification or UN standard packaging to be used for transporting a hazardous material, a packaging authorized by the Transport Canada TDG Regulations may be used, subject to the limitations of this part, and only if it is equivalent to the corresponding DOT specification or UN packaging (see § 173.24(d)(2) of this subchapter) authorized by this subchapter.” We are