

Bark and bark products or logs or pulpwood with bark attached that are destined for a U.S. infested area and that will not be moved through any U.S. noninfested area other than noninfested areas in the counties of Aroostock, Franklin, Oxford, Piscataquis, Penobscot, and Somerset, ME (i.e., areas in those counties that are not listed in § 301.45–3 of this chapter) may be imported from any area of Canada without restriction under this subpart.

(2) Bark and bark products or logs or pulpwood with bark attached that are destined for a U.S. noninfested area or will be moved through a U.S. noninfested area may be imported into the United States from Canada only under the following conditions:

(i) If the bark, bark products, logs, or pulpwood originated in a Canadian infested area, they must be either:

\* \* \* \* \*

(ii) If the bark, bark products, logs, or pulpwood originated in a Canadian noninfested area, they must be accompanied by a certification of origin stating that they were produced in an area of Canada where gypsy moth is not known to occur.

\* \* \* \* \*

Done in Washington, DC, this 14th day of July 2006.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E6–11431 Filed 7–18–06; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS–2006–0105]

#### Asian Longhorned Beetle; Removal of Quarantined Area in Illinois

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Interim rule and request for comments.

**SUMMARY:** We are amending the Asian longhorned beetle regulations by removing the Oz Park area in Cook County, IL, from the list of quarantined areas and removing restrictions on the interstate movement of regulated articles from those areas. We have determined that the Asian longhorned beetle no longer presents a risk of spread from that area and that the quarantine and restrictions are no longer necessary. With this change, there are

no longer any areas in Illinois that are quarantined because of the Asian longhorned beetle.

**DATES:** This interim rule was effective July 13, 2006. We will consider all comments that we receive on or before September 18, 2006.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and, in the lower “Search Open Regulations and Federal Actions” box, select “Animal and Plant Health Inspection Service” from the agency drop-down menu, then click on “Submit.” In the Docket ID column, select APHIS–2006–0105 to submit or view public comments and to view supporting and related materials available electronically. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site’s “User Tips” link.

- *Postal Mail/Commercial Delivery:* Please send four copies of your comment (an original and three copies) to Docket No. APHIS–2006–0105, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. APHIS–2006–0105.

**Reading Room:** You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

**Other Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael B. Stefan, National Coordinator, Pest Detection and Management Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–7338.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Asian longhorned beetle (ALB, *Anoplophora glabripennis*), an insect native to China, Japan, Korea, and the Isle of Hainan, is a destructive pest of hardwood trees. It attacks many healthy hardwood trees, including maple, horse chestnut, birch, poplar, willow, and

elm. In addition, nursery stock, logs, green lumber, firewood, stumps, roots, branches, and wood debris of half an inch or more in diameter are subject to infestation. The beetle bores into the heartwood of a host tree, eventually killing the tree. Immature beetles bore into tree trunks and branches, causing heavy sap flow from wounds and sawdust accumulation at tree bases. They feed on, and over-winter in, the interiors of trees. Adult beetles emerge in the spring and summer months from round holes approximately three-eighths of an inch in diameter (about the size of a dime) that they bore through branches and trunks of trees. After emerging, adult beetles feed for 2 to 3 days and then mate. Adult females then lay eggs in oviposition sites that they make on the branches of trees. A new generation of ALB is produced each year. If this pest moves into the hardwood forests of the United States, the nursery, maple syrup, and forest product industries could experience severe economic losses. In addition, urban and forest ALB infestations will result in environmental damage, aesthetic deterioration, and a reduction in public enjoyment of recreational spaces.

The ALB regulations in 7 CFR 301.51–1 through 301.51–9 (referred to below as the regulations) restrict the interstate movement of regulated articles from quarantined areas to prevent the artificial spread of ALB to noninfested areas of the United States; quarantined areas are listed in § 301.51–3 of the regulations. Portions of Illinois, New Jersey, and New York have been listed as quarantined areas.

#### Removal of Quarantined Areas

The regulations recently have listed only one quarantined area in Illinois, the Oz Park area of Cook County. Based on surveys conducted by inspectors of Illinois State and county agencies and by APHIS inspectors, we are removing that area from the list of quarantined areas. The last findings of ALB in the regulated area of Oz Park in Cook County were in November 2003. Since then, no evidence of ALB infestation has been found in that area. Based on our experience, we have determined that sufficient time has passed without finding additional beetles or other evidence of infestation to conclude that ALB constitutes a negligible risk to the Oz Park area. Therefore we are removing the entry for Cook County, IL, from the list of quarantined areas in § 301.51–3(c). With this change, there are no longer any areas in Illinois that are quarantined because of ALB.

**Immediate Action**

Immediate action is warranted to relieve restrictions that are no longer necessary. Under these circumstances, the Administrator has determined that prior notice and opportunity for public comment are contrary to the public interest and that there is good cause under 5 U.S.C. 553 for making this action effective less than 30 days after publication in the **Federal Register**.

We will consider comments we receive during the comment period for this interim rule (see **DATES** above). After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we receive and any amendments we are making to the rule.

**Executive Order 12866 and Regulatory Flexibility Act**

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review under Executive Order 12866.

We are amending the ALB regulations by removing of Oz Park area within Cook County, IL, from the list of quarantined areas and removing restrictions on the interstate movement of regulated articles from that area. We have determined that the ALB no longer presents a risk of spread from that area and that the quarantine and restrictions are no longer necessary.

The Regulatory Flexibility Act requires that agencies consider the economic impact of their rules on small entities, i.e., small businesses, organizations, and governmental jurisdictions. The entities most likely to be affected by this rule include nurserymen, tree care services, firewood retailers, and lawn maintenance businesses in the area being removed from quarantine.

In the Oz Park area of Cook County, IL, that we are deregulating in this interim rule, which is about 9 square miles in size, there are at least 71 entities that will be affected by this interim rule. These entities are mainly tree and landscape companies; there are also a few municipalities and wood recycling services. While the size of these 71 entities is unknown, it is reasonable to assume that most are small entities based on Small Business Administration size standards.

Any affected entities located within the area removed from quarantine stand to benefit from the interim rule, since they are no longer subject to the restrictions in the regulations. However, our experience with the ALB program in

Illinois, New York, and New Jersey has shown that the number and value of regulated articles that are, upon inspection, determined to be infested, and therefore denied a certificate or a limited permit for movement, is small. Thus, any benefit for affected entities in the areas removed from quarantine is likely to be minimal, given that the costs associated with the restrictions that have been relieved were themselves minimal.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

**Executive Order 12372**

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

**Executive Order 12988**

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

**Paperwork Reduction Act**

This interim rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**List of Subjects in 7 CFR Part 301**

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

■ Accordingly, we are amending 7 CFR part 301 as follows:

**PART 301—DOMESTIC QUARANTINE NOTICES**

■ 1. The authority citation for part 301 continues to read as follows:

**Authority:** 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 issued under Sec. 204, Title II, Public Law 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 issued under Sec. 203, Title II, Public Law 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

**§ 301.51–3 [Amended]**

■ 2. In § 301.51–3, paragraph (c) is amended by removing the heading

“Illinois” and the entry for Cook County.

Done in Washington, DC, this 13th day of July 2006.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E6–11430 Filed 7–18–06; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF ENERGY****10 CFR Part 727****48 CFR Parts 904 and 952**

**RIN 1992–AA27**

**Computer Security; Access to Information on Department of Energy Computers and Computer Systems**

**AGENCY:** Department of Energy.

**ACTION:** Final rule.

**SUMMARY:** The Department of Energy (DOE) is publishing regulations to codify minimum requirements governing access to information on Department of Energy computers.

**DATES:** This rule is effective August 18, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Warren Udy, Acting Associate CIO for Cyber Security, Office of Chief Information Officer, NNSA (NA–65), 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–1283; Gordon Errington, Acting Associate CIO for Cyber Security, Office of the Chief Information Officer, DOE (IM–1), 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9595, or Samuel M. Bradley, Office of General Counsel (GC–53), 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–6738.

**SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Discussion of Comments and Final Rule
- III. Regulatory Review

**I. Background**

Pursuant to the DOE Organization Act (42 U.S.C. 7101, *et seq.*) and the Atomic Energy Act of 1954 (AEA) (42 U.S.C. 2011, *et seq.*), DOE carries out a variety of programs, including defense nuclear programs. DOE performs its defense nuclear program activities in the Washington, DC area, and at locations that DOE controls around the United States, including national laboratories and nuclear weapons production facilities. DOE contractors operate the national laboratories and production facilities.