

## II. Discussion

The Department recognizes the stakeholders' request for additional time to prepare comments, and because it encourages all stakeholders to provide comment, the Department is extending the comment period to February 13, 2007. The Department believes this additional time allows for the development and completion of stakeholder comments without posing a conflict to the DOE regarding its rulemaking schedules.

## III. Public Participation

### A. Submission of Comments

DOE will accept comments, data, and information regarding this notice no later than the date provided at the beginning of this notice. Comments, data, and information submitted to the Department's e-mail address for this rulemaking should be provided in WordPerfect, Microsoft Word, PDF, or text (ASCII) file format. Stakeholders should avoid the use of special characters or any form of encryption, and wherever possible, comments should include the electronic signature of the author. Absent an electronic signature, comments submitted electronically must be followed and authenticated by submitting a signed original paper document to the address provided at the beginning of this notice. Comments, data, and information submitted to the Department via mail or hand delivery/courier should include one signed original paper copy. No telefacsimiles (faxes) will be accepted.

According to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit two copies: One copy of the document including all the information believed to be confidential, and one copy of the document with the information believed to be confidential deleted. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

Factors of interest to DOE when evaluating requests to treat submitted information as confidential include: (1) A description of the items; (2) whether and why such items are customarily treated as confidential within the industry; (3) whether the information is generally known or available from public sources; (4) whether the information has previously been made available to others without obligation concerning its confidentiality; (5) an explanation of the competitive injury to the submitting person which would result from public disclosure; (6) a date

after which such information might no longer be considered confidential; and (7) why disclosure of the information would be contrary to the public interest.

### B. Issues on Which DOE Seeks Comment

DOE is interested in receiving comments and views of interested parties concerning its proposed rulemaking methodologies as outlined in the Framework Document and presentation material provided at the January 16, 2007 public meeting. These materials are available at the following Web address: [http://www.eere.energy.gov/buildings/appliance\\_standards/residential/pool\\_heaters.html](http://www.eere.energy.gov/buildings/appliance_standards/residential/pool_heaters.html).

Issued in Washington, DC, on January 25, 2007.

**Alexander A. Karsner,**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-127819-06]

RIN 1545-BF79

#### TIPRA Amendments to Section 199

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document cancels a public hearing on proposed regulations by cross-reference to temporary regulations relating to the application of section 199, which provides a deduction for income attributable to domestic production activities.

**DATES:** The public hearing, originally scheduled for February 5, 2007 at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Kelly Banks of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 622-0392 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing that appeared in the **Federal Register** on Thursday, October 19, 2006 (71 FR 61692), announced that a public hearing was

scheduled for February 5, 2007, at 10 a.m. in the IRS Auditorium, New Carrollton Federal Building, 5000 Ellin Road, Lanham, MD 20706.

Subsequently, a notice of change of location of public hearing was published in the **Federal Register** on Tuesday, December 26, 2006, (71 FR 77353) changing the location to the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 199 of the Internal Revenue Code.

The public comment period for these regulations expired on January 16, 2007. The notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Tuesday, January 23, 2007, no one has requested to speak. Therefore, the public hearing scheduled for February 5, 2007, is cancelled.

**La Nita VanDyke,**

*Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

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**BILLING CODE 4830-01-P**

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-136806-06]

RIN 1545-BF87

#### Treatment of Payments in Lieu of Taxes Under Section 141

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document cancels a public hearing on proposed regulations modifying the standards for treating payments in lieu of taxes (PILOTs) as generally applicable taxes for purposes of the private security or payment test under section 141.

**DATES:** The public hearing, originally scheduled for February 13, 2007 at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Kelly Banks of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 622-0392 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Thursday, October 19, 2006 (71 FR 61693), announced that a public hearing was scheduled for February 13, 2007, at 10 a.m. in the IRS Auditorium, New Carrollton Federal Building, 5000 Ellin Road, Lanham, MD 20706. Subsequently, a notice of change of location of public hearing was published in the **Federal Register** on Tuesday, December 26, 2006 (71 FR 77352), changing the location to the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 141 of the Internal Revenue Code.

The public comment period for these regulations expired on January 16, 2007. The notice of proposed rulemaking and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Tuesday, January 23, 2007, no one has requested to speak. Therefore, the public hearing scheduled for February 13, 2007, is cancelled.

**La Nita VanDyke,**

*Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. E7-1380 Filed 1-29-07; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF EDUCATION

### 34 CFR Chapter VI

#### **Office of Postsecondary Education; Notice of Intent To Establish Negotiated Rulemaking Committees Under Title IV of the Higher Education Act of 1965, as Amended**

**AGENCY:** Department of Education.

**ACTION:** Notice of negotiated rulemaking.

**SUMMARY:** The Secretary of Education (Secretary) announces the establishment of two negotiated rulemaking committees: one will develop proposed regulations related to accreditation topics and the other will develop proposed regulations related to other programmatic, institutional eligibility, and general provisions topics under Title IV of the Higher Education Act of 1965, as amended (HEA). In addition, the Secretary provides additional information on the negotiating committee that will address topics related to the Academic Competitiveness Grant (ACG) and the National Science and Mathematics

Access to Retain Talent Grant (National SMART Grant) programs.

**DATES:** The dates for the negotiation sessions are listed in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Wendy Macias, U.S. Department of Education, 1990 K Street, NW., room 8017, Washington, DC 20006. Telephone: (202) 502-7526. E-mail: *Wendy.Macias@ed.gov*.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in this section.

**SUPPLEMENTARY INFORMATION:** On August 18, 2006, we published a notice in the **Federal Register** (71 FR 47756) announcing our intent to establish up to four negotiated rulemaking committees to prepare regulations under Title IV of the HEA. The notice also announced a series of four regional hearings at which interested parties could suggest topics for consideration for action by the negotiating committees. We invited parties to submit topics for consideration in writing, as well. In the notice, we also requested nominations for individual negotiators who represent key stakeholder constituencies that are involved in the student financial assistance programs authorized under Title IV of the HEA to serve on these committees.

On November 29, 2006, the Secretary convened a forum on accreditation to discuss strategies for making higher education more accessible, affordable, and accountable and to explore ways to implement the recommendations of her Commission on the Future of Higher Education. One of the goals of the forum was to take the work that the higher education community has been doing to improve the focus on student learning outcomes and to discuss how to work together for a more robust, outcome-focused, results-centered accreditation system that will benefit students and parents and empower them with information. The forum also looked at ways to streamline and improve the accreditation process to support innovation, promote consistency in accreditation standards, increase accountability, and be more transparent to the public.

On December 8, 2006, we published a notice in the **Federal Register** (71 FR 71117) announcing the establishment of a negotiating committee to address

topics related to the Federal student loan programs authorized by Title IV, Parts B, D, and E of the HEA. The notice included the topics that committee was likely to address, the members of that committee, and the schedule for that committee. That committee began meeting in December 2006.

In addition, the December 8, 2006 notice announced the establishment of a negotiating committee to address topics related to the ACG and the National SMART Grant programs. We list the members of the ACG and National SMART Grant committee, the topics that committee will likely address, and the schedule for that committee elsewhere in this notice under *ACG and National SMART Grant Committee Topics, Members, and Meeting Schedule*.

Finally, the December 8, 2006 notice extended the deadline to respond to our request for nominations for individual negotiators who represent key stakeholder constituencies to serve on the ACG and National SMART Grant programs committee and any additional negotiating committees that may be formed to address accreditation, or Title IV programmatic, institutional eligibility, and general provisions topics.

After further consideration of the information received at the regional hearings, at the accreditation forum, and in writing as a result of the notice, we have decided to establish two additional negotiating committees. One committee will address programmatic, institutional eligibility, and general provisions topics related to Title IV Parts A (except for ACG and National SMART Grant programs), C, G, and H (except subpart 2) of the HEA. The other new committee will address accreditation topics (Title IV, Part H of the HEA). We list the members of these committees, the topics the committees will likely address, and the schedule for these committees elsewhere in this notice under *General Provisions Committee Topics, Members, and Meeting Schedule and Accreditation Committee Topics, Members, and Meeting Schedule*.

#### **ACG and National SMART Grant Committee Topics, Members, and Meeting Schedule**

The topics the ACG and National SMART Grant Committee is likely to address are:

- Rigorous secondary school programs
- Mandatory institutional participation in ACG and National SMART Grants
- Eligibility of certificate programs for ACG