

foreign control) if the component, part, tool or test equipment is to be used for manufacture, assembly, testing, production, or modification provided:

\* \* \* \* \*

## PART 129—REGISTRATION AND LICENSING OF BROKERS

■ 9. The authority citation for part 129 continues to read as follows:

**Authority:** Sec. 38, Pub. L. 104–164, 110 Stat. 1437, (22 U.S.C. 2778).

■ 10. Section 129.4 is amended by revising paragraphs (a) and (b) to read as follows:

### § 129.4 Registration statement and fees.

(a) *General.* An intended registrant must submit a Department of State Form DS–2032 (Statement of Registration) to the Office of Defense Trade Controls Compliance by registered or overnight mail delivery, and must submit an electronic payment via Automated Clearing House (ACH) or Society for Worldwide Interbank Financial Telecommunications (SWIFT), payable to the Department of State of the fees prescribed in § 122.3(a) of this subchapter. Automated Clearing House is an electronic network used to process financial transactions originating from within the United States and SWIFT is the messaging service used by financial institutions worldwide to issue international transfers for foreign accounts. Payment methods (i.e., ACH and SWIFT) are dependent on the source of the funds (U.S. or foreign bank) drawn from the applicant's account. The originating account must be the registrant's account and not a third party's account. Intended registrants should access the Directorate of Defense Trade Control's Web site at <http://www.pmdtcc.state.gov> for detailed guidelines on submitting ACH and SWIFT electronic payments. Payments, including from foreign brokers, must be in U.S. currency, payable through a U.S. financial institution. Cash, checks, foreign currency, or money orders will not be accepted. The Statement of Registration must be signed by a senior officer (e.g., Chief Executive Officer, President, Secretary, Partner, Member, Treasurer, General Counsel) who has been empowered by the intended registrant to sign such documents. The intended registrant, whether a U.S. or foreign person, shall submit documentation that demonstrates it is incorporated or otherwise authorized to do business in its respective country. Foreign persons who are required to register shall provide information that is substantially similar in content to that which a U.S.

person would provide under this provision (e.g., foreign business license or similar authorization to do business). The Directorate of Defense Trade Controls will notify the registrant if the Statement of Registration is incomplete either by notifying the registrant of what information is required or through the return of the entire registration package. Registrants may not establish new entities for the purpose of reducing registration fees.

(b) A person registering as a broker who is already registered as a manufacturer or exporter in accordance with part 122 of this subchapter must cite their existing manufacturer or exporter registration, and must pay an additional fee according to the schedule prescribed in § 122.3(a) of this subchapter for registration as a broker.

\* \* \* \* \*

Dated: July 20, 2011.

**Ellen O. Tauscher,**

*Under Secretary, Arms Control and International Security, Department of State.*

[FR Doc. 2011–19115 Filed 7–27–11; 8:45 am]

**BILLING CODE 4710–25–P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 15

#### Office of the Secretary

#### 43 CFR Parts 4, 30

[Docket ID BIA–2009–0001]

RIN 1076–AF07

### Indian Trust Management Reform—Implementation of Statutory Changes

**AGENCY:** Bureau of Indian Affairs, Office of the Secretary, Interior.

**ACTION:** Final rule; confirmation.

**SUMMARY:** The Office of the Secretary of the Department of the Interior and Bureau of Indian Affairs (collectively, the Department) are confirming the interim final rule published and effective on February 10, 2011, to implement the latest statutory changes to the Indian Land Consolidation Act, as amended by the 2004 American Indian Probate Reform Act and later amendments (ILCA/AIPRA). The February 10, 2011, publication stated that the Department would review comments on the interim final rule and either confirm the rule or initiate a proposed rulemaking. The Department did not receive any adverse comments, and therefore confirms the rule without change.

**DATES:** The February 10, 2011, effective date of the interim final rule is confirmed.

#### FOR FURTHER INFORMATION CONTACT:

Michele Singer, Office of Regulatory Affairs & Collaborative Action, U.S. Department of the Interior, 1001 Indian School Road, NW., Suite 312, Albuquerque, NM 87104, *phone:* (505) 563–3805; *fax:* (505) 563–3811; *e-mail:* [Michele.Singer@bia.gov](mailto:Michele.Singer@bia.gov).

#### SUPPLEMENTARY INFORMATION: On

February 10, 2011, the Department published an interim final rule (76 FR 7500), under Docket No. BIA–2009–001, to implement the latest statutory changes to ILCA/AIPRA. The rule's changes primarily affect the probate of permanent improvements owned by a decedent that are attached to trust or restricted property owned by the decedent. These changes also affect the purchase of small fractional interests at probate by restricting who may purchase without consent and what interests may be purchased without consent.

The Department stated in the interim final rule that it would address comments received and, by a future publication in the Federal Register, confirm the interim final rule, with or without change, or initiate a proposed rulemaking.

The Department received one comment that expressly indicated it was not a substantive criticism of the rule, but requested a definition for the term “probate.” The regulations being amended by the interim final rule, 25 CFR part 15 and 43 CFR part 30, already contain a definition of “probate.” See 25 CFR 15.2, 43 CFR 4.201, 30.101. Consequently, the Department did not make any change to the interim final rule as a result of this comment. The comment also included a suggestion regarding estate planning that is outside the scope of the interim final rule.

For these reasons, the Department is confirming the interim final rule without change.

#### List of Subjects

25 CFR Part 15

Estates, Indians—law.

43 CFR Part 4

Administrative practice and procedure, Claims, Indians, Lawyers.

43 CFR Part 30

Administrative practice and procedure, Claims, Estates, Indians, Lawyers.

Dated: June 27, 2011.

**Donald E. Laverdure,**  
Principal Deputy Assistant Secretary.

Dated: July 12, 2011.

**Rhea S. Suh,**  
Assistant Secretary—Policy, Management  
and Budget.

[FR Doc. 2011-19060 Filed 7-27-11; 8:45 am]

BILLING CODE 4310-6W-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2011-0571; FRL-9444-7]

#### Interim Final Determination To Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District, CA

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Interim final rule.

**SUMMARY:** EPA is making an interim final determination to defer imposition of sanctions based on a proposed determination, published elsewhere in this **Federal Register**, that the State of California has submitted a rule that satisfies the requirements of Clean Air Act (CAA) Section 185 fee program.

**DATES:** This interim final determination is effective on July 28, 2011. However, comments will be accepted until August 29, 2011.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2011-0571, by one of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions.
2. *E-mail:* [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).
3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

*Instructions:* All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an “anonymous access” system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail

address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

*Docket:* Generally, documents in the docket for this action are available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at <http://www.regulations.gov>, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Lily Wong, EPA Region IX, (415) 947-4114, [wong.lily@epa.gov](mailto:wong.lily@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us” and “our” refer to EPA.

### I. Background

On January 13, 2010 (75 FR 1716), EPA published a final limited approval and limited disapproval of revisions to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) portion of the California State Implementation Plan (SIP). EPA’s final action concerned SJVUAPCD Rule 3170, “Federally Mandated Ozone Nonattainment Fee,” a fee rule which applied to major sources of volatile organic compounds (VOCs) and oxides of nitrogen (NO<sub>x</sub>) emissions. SJVUAPCD submitted Rule 3170 pursuant to section 185 of the CAA. EPA determined that while Rule 3170 strengthened the SIP, it did not fully meet the requirements of section 185 of the CAA. EPA’s final action started a sanctions clock for imposition of offset sanctions 18 months after February 12, 2010 and highway sanctions 6 months after offset sanctions, pursuant to section 179 of the CAA and our regulations at 40 CFR 52.31.

On May 19, 2011, SJVUAPCD amended Rule 3170 and on June 14, 2011, the California Air Resources Board (CARB) submitted amended Rule 3170. In the Proposed Rules section of today’s **Federal Register**, we have proposed approval of this submittal. Based on today’s proposed approval, we are taking this final rulemaking action, effective on publication, to defer imposition of sanctions that were

triggered by our January 13, 2010 limited approval and limited disapproval of Rule 3170, based on a finding that it is more likely than not that the SJVUAPCD has submitted a rule that meets the requirements of sections 172(e) and 185 of the CAA.

EPA is providing the public with an opportunity to comment on this deferral of sanctions. If comments are submitted that change our assessment described in this final determination and the proposed approval of Rule 3170, we would take final action proposing to partially or fully disapprove Rule 3170 and lifting this deferral of the sanctions. If no comments are submitted that change our assessment, then with regard to the failure to meet the requirements of section 185 of the CAA, any imposed sanctions would no longer apply and any sanction clocks would be permanently terminated on the effective date of a final approval of Rule 3170.

### II. EPA Action

We are making an interim final determination to defer CAA section 179 sanctions associated with SJVUAPCD’s 1-hour Ozone CAA section 185 obligation based on our concurrent proposal to fully approve Rule 3170 as meeting sections 172(e) and 185 of the CAA.

Because EPA has preliminarily determined that Rule 3170 meets the requirements of sections 172(e) and 185 of the CAA and is fully approvable, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for comment before this action takes effect (5 U.S.C. 553(b)(3)). However, by this action EPA is providing the public with a chance to comment on EPA’s determination after the effective date, and EPA will consider any comments received in determining whether to reverse such action.

EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State’s submittal and, through its proposed action, is indicating that it is more likely than not that the State has submitted a revision to the SIP that meets sections 172(e) and 185 of the CAA that was the basis for the action that started the sanctions clocks. Therefore, it is not in the public interest to impose sanctions. EPA believes that it is necessary to use the interim final rulemaking process to defer sanctions while EPA completes its rulemaking process on the approvability of the State’s submittal. Moreover, with