

in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions are deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 *et. seq.*).

Small Business Regulatory Enforcement Fairness Act of 1996

The amendment is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801 *et. seq.*). The amendment will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Contract With America Advancement Act of 1996

The amendment is exempt from the reporting requirements of the Contract With America Advancement Act of 1996 (5 U.S.C. 801 *et. seq.*) because it concerns rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties.

Paperwork Reduction Act

The amendment is not subject to the Paperwork Reduction Act (44 U.S.C. 3501 *et. seq.*), since it does not contain any new information collection requirements.

List of Subjects in 19 CFR parts 206

Administrative practice and procedure, Business and industry, Canada, Imports, Investigations, Mexico, Trade agreements.

For the reasons stated in the preamble, the Commission amends 19 CFR part 206 as follows:

PART 206—INVESTIGATIONS RELATING TO GLOBAL AND BILATERAL SAFEGUARDS ACTIONS, MARKET DISRUPTION, AND REVIEW OF RELIEF ACTIONS

1. The authority citation for part 206 continues to read as follows:

Authority: 19 U.S.C. 1335, 2251–2254, 3351–3382; secs. 103, 301–302, Pub. L. 103–465, 108 Stat. 4809.

2. Amend § 206.52 to add a new paragraph (c) to read as follows:

§ 206.52 Monitoring.

* * * * *

(c) Limited disclosure of certain confidential business information under

administrative protective order. Upon receipt of a timely application filed by an authorized applicant, the Secretary shall make available to an authorized applicant under administrative protective order all confidential business information contained in Commission memoranda and reports and in written submissions filed with the Commission at any time during an investigation under this section with respect to an article that was the subject of an affirmative Commission determination under section 202 of the Trade Act (except privileged information, classified information, and specific information of a type which there is a clear and compelling need to withhold from disclosure). Such disclosure shall be made in the manner provided for and in accordance with the procedures set forth in § 206.17. The provisions in paragraphs (d) and (e) of § 206.17 relating to Commission responses to a breach of an administrative protective order and breach procedure shall apply with respect to orders issued under this paragraph.

Issued: June 12, 2001.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–15164 Filed 6–13–01; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 46, 70, 270, 275, 290, and 296

[T.D. ATF–457]

RIN 1512–AC41

Recodification of Regulations on Tobacco Products and Cigarette Papers and Tubes

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final rule (Treasury decision).

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations in part 296—Miscellaneous Regulations Relating to Tobacco Products and Cigarette Papers and Tubes, title 27 of the Code of Federal Regulations (CFR). The purpose of this recodification is to reissue the regulations in 27 CFR part 296 as 27 CFR part 46. This change improves the organization of title 27.

DATES: This rule is effective on June 14, 2001.

FOR FURTHER INFORMATION CONTACT: Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, (202–927–9347) or e-mail at LMGesser@atfhq.atf.treas.gov.

SUPPLEMENTARY INFORMATION:

Background

As a part of continuing efforts to reorganize the part numbering system of title 27 CFR, ATF is removing part 296 of title 27 CFR, in its entirety, and is recodifying the regulations as 27 CFR part 46. This change improves the organization of title 27 CFR.

DERIVATION TABLE FOR PART 46

The requirements of—	Are derived from—
Subpart A	
Sec.	Sec.
46.1	296.1
46.2	296.2
46.3	296.3
46.4	296.4
46.5	296.5
46.6	296.6
46.7	296.7
46.8	296.8
46.9	296.9
46.10	296.10
46.11	296.11
46.12	296.12
46.13	296.13
46.14	296.14
46.15	296.15
46.16	296.16
Subpart B [Reserved]	
Subpart C	
46.71	296.71
46.71	296.71
46.72	296.72
46.73	296.73
46.74	296.74
46.75	296.75
46.76	296.76
46.77	296.77
46.78	296.78
46.79	296.79
46.80	296.80
46.81	296.81
Subparts D–E [Reserved]	
Subpart F	
46.141	296.141
46.142	296.142
46.143	296.143
46.146	296.146
46.147	296.147
46.150	296.150
46.153	296.153
46.154	296.154
46.155	296.155

DERIVATION TABLE FOR PART 46—
Continued

The requirements of—	Are derived from—
Subpart G	
46.161	296.161
46.162	296.162
46.163	296.163
46.164	296.164
46.165	296.165
46.166	296.166
46.167	296.167
46.168	296.168
Subpart H [Reserved]	
Subpart I	
46.191	296.191
46.192	296.192
46.193	296.193
46.194	296.194
46.195	296.195
46.196	296.196
46.201	296.201
46.202	296.202
46.203	296.203
46.204	296.204
46.205	296.205
46.206	296.206
46.207	296.207
46.208	296.208
46.209	296.209
46.210	296.210
46.211	296.211
46.212	296.212
46.213	296.213
46.221	296.221
46.222	296.222
46.223	296.223
46.231	296.231
46.232	296.232
46.233	296.233
46.234	296.234
46.235	296.235
46.236	296.236
46.237	296.237
46.241	296.241
46.242	296.242
46.243	296.243
46.244	296.244
46.245	296.245
46.251	296.251
46.252	296.252
46.253	296.253
46.254	296.254
46.255	296.255
46.261	296.261
46.262	296.262
46.263	296.263
46.264	296.264
46.270	296.270
46.271	296.271
46.272	296.272
46.273	296.273
46.274	296.274

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule

because there are no new or revised recordkeeping or reporting requirements.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule under the Administrative Procedure Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule to the Chief Counsel for Advocacy of the Small Business Administration in accordance with 26 U.S.C. 7805(f). No comments were received.

Executive Order 12866

It is hereby certified that this final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

Administrative Procedure Act

Because this final rule merely makes technical amendments and conforming changes to improve the clarity of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly, because of the nature of this final rule, good cause is found that it is unnecessary to subject this final rule to the effective date limitation of 5 U.S.C. 553(d).

Drafting Information

The principal author of this document is Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects*27 CFR Part 46*

Cigars and cigarettes, Claims, Excise taxes, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Surety bonds, Tobacco.

27 CFR Part 70

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

27 CFR Part 270

Cigars and cigarettes, Claims, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco.

27 CFR Part 275

Cigars and cigarettes, Claims, Customs duties and inspection, Electronic funds

transfers, Excise taxes, Imports, Labeling, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Virgin Islands, Warehouses.

27 CFR Part 290

Aircraft, Armed forces, Cigars and cigarettes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Vessels, Warehouses.

27 CFR Part 296

Cigars and cigarettes, Claims, Excise taxes, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Surety bonds, Tobacco.

Authority and Issuance

ATF is amending title 27 of the Code of Federal Regulations as follows:

PART 70—PROCEDURE AND ADMINISTRATION

Paragraph 1. The authority citation for 27 CFR part 70 continues to read as follows:

Authority: 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331–6343, 6401–6404, 6407, 6416, 6423, 6501–6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656–6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601–7606, 7608–7610, 7622, 7623, 7653, 7805.

§§ 70.131 and 70.431 [Amended]

Par. 2. Remove the reference to “part 296” and add, in its place, a reference to “part 46” in the following places:

- Section 70.131(b); and
- Section 70.431(b)(7).

PART 270—MANUFACTURE OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES

Par. 3. The authority citation for 27 CFR part 270 continues to read as follows:

Authority: 26 U.S.C. 5142, 5143, 5146, 5701, 5703–5705, 5711–5713, 5721–5723, 5731, 5741, 5751, 5753, 5761–5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

§§ 270.11 and 270.49 [Amended]

Par. 4. Remove the reference to “ATF Order 1130.15, Delegation Order—Delegation of Certain of the Director’s Authorities in 27 CFR parts 270, 275, and 296” and add, in its place, a reference to “ATF Order 1130.15, Delegation Order—Delegation of Certain of the Director’s Authorities in 27 CFR parts 46, 270, and 275” in the following places:

- a. The definition of “Appropriate ATF Officer in § 270.11; and
- b. Section 270.49.

§ 270.286 [Amended]

Par. 5. Amend § 270.286 by removing the reference to “part 296” and adding, in its place, a reference to “part 46.”

PART 275—IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES

Par. 6. The authority citation for 27 CFR part 275 continues to read as follows:

Authority: 26 U.S.C. 5701, 5703, 5704, 5705, 5706, 5708, 5712, 5713, 5721, 5722, 5723, 5741, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306; 18 U.S.C. 2342.

§ 275.162 and 275.205 [Amended]

Par. 7–Par. 8. Remove the reference to “part 296” and add, in its place, a reference to “part 46” in the following places:

- a. Section 275.162; and
- b. Section 275.205(b).

PART 290—EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX

Par. 9. The authority citation for 27 CFR part 290 continues to read as follows:

Authority: 26 U.S.C. 5142, 5143, 5146, 5701, 5703–5705, 5711–5713, 5721–5723, 5731, 5741, 5751, 5754, 6061, 6065, 6151, 6402, 6404, 6806, 7011, 7212, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

§§ 290.154 [Amended]

Par. 10. Amend § 290.154 by removing the reference to “part 296” and adding, in its place, a reference to “part 46.”

PART 296—MISCELLANEOUS REGULATIONS RELATING TO TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES

Par. 11. The authority citation for 27 CFR part 296 continues to read as follows:

Authority: 18 U.S.C. 2341–2346, 26 U.S.C. 5708, 5751, 5761–5763, 6001, 6601, 6621, 6622, 7212, 7342, 7602, 7606, 7805, 44 U.S.C. 3504(h), 49 U.S.C. 782, unless otherwise noted.

PART 296—[REDESIGNATED]

Par. 12. Redesignate 27 CFR part 296 as 27 CFR part 46.

PART 46—MISCELLANEOUS REGULATIONS RELATING TO TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES

Par. 13. The authority citation for redesignated 27 CFR part 46 continues to read as follows:

Authority: 18 U.S.C. 2341–2346, 26 U.S.C. 5708, 5751, 5761–5763, 6001, 6601, 6621, 6622, 7212, 7342, 7602, 7606, 7805, 44 U.S.C. 3504(h), 49 U.S.C. 782, unless otherwise noted.

§ 46.4 [Amended]

Par. 14. Amend paragraph (c) of § 46.4 by removing the reference to “§ 296.10” and adding, in its place, a reference to “§ 46.10.”

§ 46.6 [Amended]

Par. 15. Amend § 46.6 as follows:

- a. In paragraph (a), remove the reference to “§ 296.7” and add, in its place, a reference to “§ 46.7”; and
- b. In paragraph (c) remove the reference to “§ 296.10” and add, in its place, a reference to “§ 46.10.”

§ 46.7 [Amended]

Par. 16. Amend § 46.7 by removing the reference to “§ 296.8” and adding, in its place, a reference to “46.8.”

§ 46.8 [Amended]

Par. 17. Amend § 46.8 as follows:

- a. In the introductory text, remove the reference to “296.7” and add, in its place, a reference to “46.7”; and
- b. In paragraph (f), remove the reference to “296.5” and add, in its place, a reference to “46.5.”

§ 46.15 [Amended]

Par. 18. Amend § 46.15 by removing the reference to “296.12” and adding, in its place, a reference to “46.12.”

§§ 46.72 and 46.81 [Amended]

Par. 19. Remove the reference to “ATF Order 1130.15, Delegation Order—Delegation of Certain of the Director’s Authorities in 27 CFR parts 270, 275, and 296” and add, in its place, a reference to “ATF Order 1130.24, Delegation Order—Delegation of the Director’s Authorities in subpart C and I of 27 CFR part 46,” in the following places:

- a. The definition of “Appropriate ATF officer” in § 46.72; and
- b. Section 46.81.

§ 46.146 [Amended]

Par. 20. Amend § 46.146 by removing the reference to “296.147” and adding, in its place, a reference to “46.147.”

§ 46.147 [Amended]

Par. 21. Amend § 46.147 by removing the reference to “296.143” and adding, in its place, a reference to “46.143” in the following places:

- a. The introductory text of Paragraph (a); and
- b. The introductory text of Paragraph (b).

§ 46.150 [Amended]

Par. 22. Amend paragraph (a) of § 46.150 by removing the reference to “§§ 296.146 and 296.147” and add, in its place, a reference to “§§ 46.146 and 46.147.”

§ 46.153 [Amended]

Par. 23. Amend the introductory text of § 46.153 by removing the reference to “§§ 296.146 through 296.147” and add, in its place, a reference to “§§ 46.146 through 46.147.”

§ 46.192 [Amended]

Par. 24. Amend § 46.192(a) by removing the reference to “ATF Order 1130.14, Delegation Order—Delegation of the Director’s Authorities in Subpart I of 27 CFR Part 296” and adding, in its place, a reference to “ATF Order 1130.24, Delegation Order—Delegation of the Director’s Authorities in subpart C and subpart I of 27 CFR part 46”.

§ 46.270 [Revised]

Par. 24a. Revise § 46.270 to read as follows:

§ 46.270 Delegations of the Director.

The regulatory authorities of the Director contained in this subpart are delegated to appropriate ATF officers. These ATF officers are specified in ATF O 1130.24, Delegation Order—Delegation of the Director’s Authorities in subpart C and subpart I of 27 CFR part 46. ATF delegation orders, such as ATF O 1130.24, are available to any interested party by mailing a request to the ATF Distribution Center, PO Box 5950, Springfield, VA 22150–5190, or by accessing the ATF web site (<http://www.atf.treas.gov/>).

§ 46.194 [Amended]

Par. 25. Amend § 46.194 as follows:

- a. Remove the reference to “§§ 296.207 and 296.208” and add, in its place, “§§ 46.207 and 46.208”; and

b. Remove the reference to “§ 296.209” and add, in its place, a reference to “§ 46.209.”

§ 46.196 [Amended]

Par. 26. Amend § 46.196 as follows:

a. In paragraph (a), remove the reference to “§§ 296.205 and 296.206” and add, in its place, a reference to “§§ 46.205 and 46.206”;

b. In paragraph (b), remove the reference to “§ 296.222” and add, in its place, a reference to “46.222”;

c. In paragraph (b), remove the reference to “§ 296.223” and add, in its place, a reference to “46.223”; and

d. In paragraph (d), remove the reference to “§ 296.241” and add, in its place, a reference to “46.241.”

§ 46.205 [Amended]

Par. 27. Amend § 46.205 as follows:

a. In paragraph (a), remove the reference to “§ 296.222” and add, in its place, a reference to “§ 46.222”;

b. In paragraph (a), remove the reference to “§ 296.203” and add, in its place, a reference to “46.203”; and

c. In paragraph (e), remove the reference to “§ 296.204” and add, in its place, a reference to “46.204.”

§ 46.206 [Amended]

Par. 28. Amend § 46.206 as follows:

a. In paragraph (b), remove the reference to “§ 296.205(a)” and add, in its place, a reference to “§ 46.205(a)”;

b. In paragraph (f), remove the reference to “§ 296.205(e)” and add, in its place, a reference to “46.205(e).”

§ 46.213 [Amended]

Par. 29. Amend § 46.213 by removing the reference to “§§ 296.205 and 296.206” and add, in its place, a reference to “§§ 46.205 and 46.206.”

§ 46.221 [Amended]

Par. 30. Amend § 46.221 by removing the reference to “296.222” and adding, in its place, a reference to “46.222.”

§ 46.237 [Amended]

Par. 31. Amend § 46.237 by removing the reference to “§ 296.223” and adding, in its place, a reference to “§ 46.223.”

§ 46.241 [Amended]

Par. 32. Amend paragraph (f) of § 46.241 by removing the reference to “296.263” and adding, in its place, a reference to “46.263.”

§ 46.242 [Amended]

Par. 33. Amend § 46.242 by removing the reference to “296.234” and adding, in its place, a reference to “46.234.”

February 23, 2001.

Bradley A. Buckles,
Director.

Approved: April 19, 2001.

Timothy E. Skud,

Acting Deputy Assistant Secretary,
(Regulatory, Tariff and Trade Enforcement).

[FR Doc. 01-14745 Filed 6-13-01; 8:45 am]

BILLING CODE 4810-31-P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4902

Disclosure and Amendment of Records Pertaining to Individuals Under the Privacy Act

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: The Pension Benefit Guaranty Corporation is amending its regulations implementing the Privacy Act of 1974, *as amended*, to exempt certain records maintained in a system of records entitled “PBGC-12, Personnel Security Investigation Records—PBGC,” from the access, contest, and certain other provisions of the Privacy Act. The amendment protects the identity of a source who furnishes information in confidence to the PBGC for a background investigation on an individual who works, or who is being considered for work, for the PBGC as a contractor or as an employee of a contractor.

EFFECTIVE DATE: July 16, 2001.

FOR FURTHER INFORMATION CONTACT: D. Bruce Campbell, Attorney, Office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; 202-326-4020 (extension 3672). (For TTY/TDD users, call the federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020 (extension 3672).)

SUPPLEMENTARY INFORMATION: The PBGC conducts background investigations and reinvestigations to establish that applicants for employment and employees are reliable, trustworthy, of good conduct and character, and loyal to the United States. The PBGC maintains records about these investigations in a system of records subject to the Privacy Act of 1974, *as amended* (5 U.S.C. 552a) (“Privacy Act”), entitled “PBGC-12, Personnel Security Investigation Records—PBGC”. The PBGC’s regulations implementing the Privacy Act exempt under 5 U.S.C.

552a(k)(5) certain records maintained in PBGC-12 from the access, contest, and certain other provisions of the Privacy Act (29 CFR 4902.9).

The PBGC is expanding its use of background investigations and reinvestigations to cover individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors. To reflect the change, on April 2, 2001 (66 FR 17586), the PBGC proposed to alter PBGC-12 by revising it to include records pertaining to individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors. The PBGC received no comments on the proposed changes and they became effective May 17, 2001.

Also on April 2, 2001 (66 FR 17518), the PBGC published a proposed rule to amend § 4902.9 by exempting certain records pertaining to individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors from the access, contest, and certain other provisions of the Privacy Act. The PBGC received no comments on the proposed rule and this final rule amends the regulation as proposed. The amendment protects the identity of a source who furnishes information to PBGC in confidence for a background investigation of such an individual.

Compliance With Rulemaking Guidelines

The PBGC has determined that this action is not a “significant regulatory action” under the criteria set forth in Executive Order 12866.

The PBGC certifies under section 605(b) of the Regulatory Flexibility Act that the final rule will not have a significant economic impact on a substantial number of small entities. The rule only affects the maintenance and disclosure of information about individuals by the PBGC under the Privacy Act and therefore would ordinarily be expected to have no economic impact on entities of any size. Accordingly, sections 603 and 604 of the Regulatory Flexibility Act do not apply.

List of Subjects in 29 CFR Part 4902

Privacy.

For the reasons set forth above, the PBGC is amending 29 CFR part 4902 as follows: