

Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2522.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on December 28, 2006 (71 FR 78054). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on March 15, 2007. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Fort Worth, Texas, on February 6, 2007.

**Ronnie Uhlenhaker,**

*Manager, System Support Group, ATO Central Service Area.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 54

[TD 9298]

RIN 1545-AY32

#### **Nondiscrimination and Wellness Programs in Health Coverage in the Group Market; Correction**

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

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains correction to final regulations (TD 9298) that were published in the **Federal Register** on Wednesday, December 13, 2006 (71 FR 75014) governing the provisions prohibiting discrimination based on a health factor for group health plans and issuers of health insurance coverage offered in connection with a group health plan.

**DATES:** The correction is effective February 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Russ Weinheimer, (202) 622-6080 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

### **Background**

The correction notice that is the subject of this document is under section 9802 of the Internal Revenue Code.

### **Need for Correction**

As published, final regulations (TD 9298) contain errors that may prove to be misleading and are in need of clarification.

### **List of Subjects in 26 CFR Part 54**

Excise taxes, Health care, Health insurance, Pensions, Reporting and recordkeeping requirements.

### **Correction of Publication**

■ Accordingly, 26 CFR part 54 is corrected by making the following correcting amendments:

### **PART 54—PENSION EXCISE TAXES**

■ **Paragraph 1.** The authority citation for part 54 continues to read, in part, as follows:

*Authority:* 26 U.S.C. 7805 \* \* \*

■ **Par. 2.** Section 54.9802-1(b)(2)(i)(D) is amended by revising paragraph (ii) of *Example 4*.

■ **Par. 3.** Section 54.9802-1(f)(1) is amended by revising the first sentence of the paragraph.

The revisions read as follows:

#### **§ 54.9802-1 Prohibiting discrimination against participants and beneficiaries based on a health factor.**

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(i) \* \* \*

(D) \* \* \*

*Example 4.* \* \* \*

(i) \* \* \*

(ii) *Conclusion.* In this *Example 4*, the limit does not violate this paragraph (b)(2)(i) because \$2,000 of benefits for the treatment of TMJ are available uniformly to all similarly situated individuals and a plan may limit benefits covered in relation to a specific disease or condition if the limit applies uniformly to all similarly situated individuals and is not directed at individual participants or beneficiaries. (This example does not address whether the plan provision is permissible under the Americans with Disabilities Act or any other applicable law.)

\* \* \* \* \*

(f) \* \* \*

(1) If none of the conditions for obtaining a reward under a wellness program are based on an individual satisfying a standard that is related to a health factor (or if a wellness program

does not provide a reward), the wellness program does not violate this section, if participation in the program is made available to all similarly situated individuals. \* \* \*

\* \* \* \* \*

**LaNita Van Dyke,**

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

[FR Doc. E7-2958 Filed 2-21-07; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### **33 CFR Part 1; 46 CFR Parts 1 and 10**

[USCG-2006-25535]

RIN 1625-ZA09

#### **Mariner Licensing and Documentation Program Restructuring and Centralization; Correction**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Correcting Amendment.

**SUMMARY:** The Coast Guard is correcting a technical amendment that appeared in the **Federal Register** on August 21, 2006. That technical amendment authorized the Commanding Officer of the National Maritime Center (NMC) to perform certain mariner credentialing functions in addition to Officers in Charge, Marine Inspection, who currently perform those functions. At the end of a transitional period, most credentialing functions will be consolidated at a centralized location. The technical amendment also made technical changes to the mariner credentialing appellate process.

**DATES:** These changes are effective March 26, 2007.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this amendment, call Mr. Gerald Miente, Project Manager, Maritime Personnel Qualifications Division (CG-3PSO-1), U.S. Coast Guard, telephone 202-372-1407. If you have questions on viewing the docket, call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

### **SUPPLEMENTARY INFORMATION:**

#### **Background and Purpose**

The Coast Guard is correcting a technical amendment that appeared in the **Federal Register** on August 21, 2006 (71 FR 48480). That technical amendment authorized the Commanding Officer of the NMC to