

characteristics of polyester fibers made from PTT and any similar fibers; or (3) retain Rule 7(c)'s definition of polyester.

*B. Statement of the Objectives of, and Legal Basis for, the Proposed Alternative Amendments*

As explained above, the Commission's Textile Rules address the Textile Act's requirements for disclosure of fiber content in textile labeling, including the establishment of generic fiber names. Rule 6 of the Textile Rules (16 CFR 303.6) requires manufacturers to use the generic names of the fibers contained in their textile products in making fiber content disclosures on labels. Rule 7 of the Textile Rules (16 CFR 303.7) sets forth the generic names and definitions that the Commission has established for manufactured fibers. Rule 8 (16 CFR 303.8) describes the procedures for establishing new generic names. In accordance with Rule 8, Petitioners have petitioned the Commission to amend Rule 7(c)'s definition of "polyester" by creating a separate subcategory and definition for PTT. The Commission seeks comment on this proposal and the alternatives of amending Rule 7(c) to broaden or clarify the definition of "polyester" or not amending the Rule.

*C. Description of and, Where Feasible, Estimate of the Number of Small Entities to Which the Proposed Alternative Amendments Will Apply*

The Commission believes that the proposed alternative amendments would not affect small entities because neither the Petitioners nor any other entity affected by these proposed alternative amendments would be a "small entity" under the Small Business Administration Size Standards. Although there may be some "downstream" textile manufacturers that could be "small entities" whose labeling may change as a result of these proposed alternative amendments, the amendments would impose no new or different compliance obligations, penalties, or costs on them. The Commission, however, invites comment and information on this issue.

*D. Projected Reporting, Recordkeeping, and Other Compliance Requirements*

The Textile Rules impose disclosure requirements, and the proposed alternative amendments would not impose any additional obligations. One of the proposed alternative amendments simply would allow covered companies to use a new generic fiber subclass name and definition as an alternative to an existing generic name. The other

proposed alternative amendment would simply broaden or clarify the definition of polyester. Neither of the proposed amendments would impose any additional labeling or advertising requirements.

*E. Duplicative, Overlapping, or Conflicting Federal Rules*

The Commission has not identified any other federal statutes, rules, or policies that would duplicate, overlap, or conflict with the proposed alternative amendments.

*F. Significant Alternatives to the Proposed Amendments*

The provisions of the Textile Rules directly reflect the requirements of the Textile Act and there are no other alternatives to the proposed alternative amendments, which reflect the nature of the Petitioners' fiber product.

**VIII. Paperwork Reduction Act**

Pursuant to the Paperwork Reduction Act ("PRA"), 44 U.S.C. 3501-3520, the Office of Management and Budget ("OMB") approved the information collection requirements contained in the Textile Rules and assigned OMB Control Number 3084-0101.<sup>19</sup> The proposed rule amendments, as discussed above, would broaden the definition of polyester to describe more accurately the allegedly unique molecular structure and physical characteristics of PTT or, alternatively, allow covered companies to use a new generic fiber subclass name and definition for polyester. Neither proposal would change the existing paperwork burden on covered companies. Accordingly, neither proposed alternative amendment would impose any new or affect any existing reporting, recordkeeping, or third-party disclosure requirements that are subject to review by OMB under the PRA.

**List of Subjects in 16 CFR Part 303**

Labeling, Textile, Trade Practices.

**Authority:** Sec. 7(c) of the Textile Fiber Products Identification Act (15 U.S.C. 70e(c)).

By direction of the Commission.

**Donald S. Clark**

*Secretary*

[FR Doc. E7-16841 Filed 8-23-07; 8:45 am]

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<sup>19</sup> The OMB clearance for the Textile Rules expires on February 28, 2009.

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[REG-155929-06]

**RIN 1545-BG31**

**Payout Requirements for Type III Supporting Organizations That Are Not Functionally Integrated; Correction**

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

**ACTION:** Correction to advance notice of proposed rulemaking.

**SUMMARY:** This document contains corrections to advance notice of proposed rulemaking (REG-155929-06) that was published in the **Federal Register** on Thursday, August 2, 2007 (72 FR 42335) regarding the payout requirements for Type III supporting organizations that are not functionally integrated, the criteria for determining whether a Type III supporting organization is functionally integrated, the modified requirements for Type III supporting organizations that are organized as trusts, and the requirements regarding the type of information a Type III supporting organization must provide to its supported organization(s) to demonstrate that it is responsive to its supported organization(s).

**FOR FURTHER INFORMATION CONTACT:** Philip T. Hackney or Michael B. Blumenfeld at (202) 622-6070 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The correction notice that is the subject of this document is under sections 501(c)(3) and 509(a)(3) of the Internal Revenue Code.

**Need for Correction**

As published, the advance notice of proposed rulemaking (REG-155929-06) contains errors that may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of advance notice of proposed rulemaking (REG-155929-06), which was the subject of FR Doc. E7-14925, is corrected as follows:

1. On page 42336, column 2, in the preamble, under the paragraph heading "Qualification Requirements for Type III Supporting Organizations Prior to Enactment of the Pension Protection Act", first and second lines of the

second paragraph of the column, the language "Responsiveness Test: Charitable Trusts. Before enactment of the PPA," is corrected to read "*Responsiveness Test: Charitable Trusts*. Before enactment of the PPA,".

2. On page 42336, column 2, in the preamble, under the paragraph heading "*Qualification Requirements for Type III Supporting Organizations Prior to Enactment of the Pension Protection Act*", seventh line of the second paragraph of the column, the language "trust under state law, (2) each publicly" is corrected to read "trust under State law, (2) each publicly".

3. On page 42336, column 3, in the preamble, under the paragraph heading "*PPA Amendments to Qualification Requirements for Type III Supporting Organizations*", second line of the second paragraph, the language "enacted Code sections 509(d) and" is corrected to read "enacted Code sections 509(f) and".

4. On page 42336, column 3, in the preamble, under the paragraph heading "*PPA Amendments to Qualification Requirements for Type III Supporting Organizations*", third line from the bottom of the column, the language "Protection of 2006," as Passed by the" is corrected to read "Protection Act of 2006," as Passed by the".

**LaNita Van Dyke,**

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

[FR Doc. E7-16715 Filed 8-23-07; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 42 CFR Part 440

[CMS-2234-P]

RIN 0938-A045

### Medicaid Program; State Option To Establish Non-Emergency Medical Transportation Program

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would implement section 6083 of the Deficit Reduction Act of 2005 which provides States with additional State plan flexibility to establish a non-emergency, medical transportation brokerage program, and to receive the Federal medical assistance percentage rate. This

authority supplements the current authority that States have to provide non-emergency medical transportation to Medicaid beneficiaries who need access to medical care, but have no other means of transportation.

**DATES:** To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on September 24, 2007.

**ADDRESSES:** In commenting, please refer to file code CMS-2234-P. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

You may submit comments in one of four ways (no duplicates, please):

1. *Electronically.* You may submit electronic comments on specific issues in this regulation to <http://www.cms.hhs.gov/eRulemaking>. Click on the link "Submit electronic comments on CMS regulations with an open comment period." (Attachments should be in Microsoft Word, WordPerfect, or Excel; however, we prefer Microsoft Word.)

2. *By regular mail.* You may mail written comments (one original and two copies) to the following address ONLY:

Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-2244-P, P.O. Box 8017, Baltimore, MD 21244-8017.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments (one original and two copies) to the following address ONLY:

Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-2234-P, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.

4. *By hand or courier.* If you prefer, you may deliver (by hand or courier) your written comments (one original and two copies) before the close of the comment period to one of the following addresses. If you intend to deliver your comments to the Baltimore address, please call telephone number (410) 786-7195 in advance to schedule your arrival with one of our staff members.

Room 445-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201; or 7500 Security Boulevard, Baltimore, MD 21244-1850.

(Because access to the interior of the HHH Building is not readily available to persons without Federal Government identification, commenters are encouraged to leave their comments in the CMS drop slots located in the main

lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.)

Comments mailed to the addresses indicated as appropriate for hand or courier delivery may be delayed and received after the comment period.

*Submission of comments on paperwork requirements.* You may submit comments on this document's paperwork requirements by mailing your comments to the addresses provided at the end of the "Collection of Information Requirements" section in this document.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Donna Schmidt, (410) 786-5532.

#### **SUPPLEMENTARY INFORMATION:**

*Submitting Comments:* We welcome comments from the public on all issues set forth in this rule to assist us in fully considering issues and developing policies. You can assist us by referencing the file code CMS-2234-P and the specific "issue identifier" that precedes the section on which you choose to comment.

*Inspection of Public Comments:* All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following Web site as soon as possible after they have been received: <http://www.cms.hhs.gov/eRulemaking>. Click on the link "Electronic Comments on CMS Regulations" on that Web site to view public comments.

Comments received timely will also be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, at the headquarters of the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, Maryland 21244, Monday through Friday of each week from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone 1-800-743-3951.

## **I. Background**

### *A. General*

For more than a decade, States have been asking for the tools to modernize their Medicaid programs. With the enactment of section 6083 of the Deficit Reduction Act of 2005 (DRA), Pub. L. 109-171, on February 8, 2006, States