

7400.9T” wherever they appear and adding, in their place, the words “FAA Order 7400.9U.”

#### **§ 71.51 [Amended]**

■ 8. Section 71.51 is amended by removing the words “FAA Order 7400.9T” wherever they appear and adding, in their place, the words “FAA Order 7400.9U.”

#### **§ 71.61 [Amended]**

■ 9. Section 71.61 is amended by removing the words “FAA Order 7400.9T” wherever they appear and adding, in their place, the words “FAA Order 7400.9U.”

#### **§ 71.71 [Amended]**

■ 10. Paragraphs (b), (c), (d), (e), and (f) of § 71.71 are amended by removing the words “FAA Order 7400.9T” and adding, in their place, the words “FAA Order 7400.9U.”

#### **§ 71.901 [Amended]**

■ 11. Paragraph (a) of § 71.901 is amended by removing the words “FAA Order 7400.9T” and adding, in their place, the words “FAA Order 7400.9U.”

Issued in Washington, DC, on September 2, 2010.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. 2010-22564 Filed 9-9-10; 8:45 am]

**BILLING CODE 4910-13-P**

## **FEDERAL TRADE COMMISSION**

### **16 CFR Part 310**

**RIN 3084-AA98**

#### **Telemarketing Sales Rule Fees**

**AGENCY:** Federal Trade Commission.

**ACTION:** Policy statement.

**SUMMARY:** The Federal Trade Commission (the “Commission” or “FTC”) is giving notice that there will be no increase in the fees charged to entities accessing the National Do Not Call Registry (the “Registry”) for fiscal year 2011.

**ADDRESSES:** Requests for copies of this document should be sent to: Public Reference Branch, Federal Trade Commission, Room 130, 600 Pennsylvania Avenue, N.W., Washington, DC 20580. Copies of this document are also available on the Internet at the Commission’s website: (<http://www.ftc.gov>).

**FOR FURTHER INFORMATION CONTACT:** Ami Joy Rop, (202) 326-2648, Bureau of

Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Rm H-244, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** The Do-Not-Call Registry Fee Extension Act of 2007 (Pub. L. 110-188, 122 Stat. 635) (“Act”), mandates a specific fee structure to use in determining the fees for accessing the Registry. According to the Act, for each year beginning after fiscal year 2009, the dollar amounts charged shall be increased by an amount equal to the amounts specified in the Act, whichever fee is applicable, multiplied by the percentage (if any) by which the average of the monthly consumer price index (for all urban consumers published by the Department of Labor) (“CPI”) for the most recently ended 12-month period ending on June 30 exceeds the CPI for the 12-month period ending June 30, 2008. The Act also states that any increase shall be rounded to the nearest dollar and that there shall be no increase in the dollar amount if the change in the CPI is less than 1 percent. We measure this change in CPI from the time of the previous increase in fees. The adjustments to the applicable fees, if any, are to be published in the **FEDERAL REGISTER** no later than September 1 of each year.

Last year, for fiscal year 2010, we calculated an increase in the CPI of 1.4 percent, and adjusted the fees accordingly (74 Fed. Reg. 42771 (August 25, 2009)). The average value of the CPI for July 1, 2008 to June 30, 2009 was 214.625; the average value for July 1, 2009 to June 30, 2010 was 216.735, an increase of 0.97 percent. As this falls below the statute’s 1 percent required change in the CPI, there shall be no increase in the fees for access. Therefore, the fees will remain at the current level of \$55 per area code, with a maximum fee of \$15,058. The fee for access to each area code during the second six months of an entity’s annual subscription period remains at \$27. Users will still be able to access the first five area codes free of charge, and organizations that are not required to comply with the Registry will still be able to access it if they choose to while remaining exempt from fees.

By direction of the Commission.

**Richard C. Donohue**

*Acting Secretary.*

[FR Doc. 2010-22197 Filed 9-9-10; 8:45 am]

**BILLING CODE 6750-01-S**

## **DEPARTMENT OF THE INTERIOR**

### **National Indian Gaming Commission**

#### **25 CFR Parts 542 and 543**

**RIN 3141-AA-37**

#### **Minimum Internal Control Standards for Class II Gaming**

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Delay of effective date of final rule; request for comments.

**SUMMARY:** The National Indian Gaming Commission (“NIGC”) announces the extension of the effective date on the final rule for Minimum Internal Control Standards for Class II Gaming. The final rule was published in the **Federal Register** on October 10, 2008 (73 FR 60492). The Commission is changing the effective date for the amendments to §§ 542.7 and 542.16 (and their renumbering as §§ 543.7 and 543.16), as well as the date for operations to implement tribal internal controls found in § 543.3(c)(3) to October 13, 2011, in order to extend the transition time, allow the new Commission time to thoroughly review the rule, and to receive comment on whether the rule should be amended in whole or in part. **DATES:** The effective date for the amendments to §§ 542.7 and 542.16 for the final rule published October 10, 2008, 73 FR 60492, and delayed on October 9, 2009, 74 FR 52138, is further delayed from October 13, 2010, until October 13, 2011. The effective date for the amendment to § 543.3(c)(3) in this rule is October 13, 2011. Submit comments on or before November 9, 2010.

**ADDRESSES:** Mail comments to “Comments on Class II MICS”, National Indian Gaming Commission, 1441 L St., NW., Suite 9100, Washington, DC 20005, attn: Jennifer Ward. Comments may be transmitted by facsimile to 202-632-7066, but the original should also be submitted by mail. Comments may also be sent electronically to [2008\\_MICS\\_comments@nigc.gov](mailto:2008_MICS_comments@nigc.gov) or posted at <http://www.regulations.gov> under this notice.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Ward, Attorney, Office of General Counsel, at (202) 632-7003; fax (202) 632-7066 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** Congress established the National Indian Gaming Commission under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. 2701-21) (“IGRA”) to regulate gaming on Indian lands. The NIGC issued a final rule that superseded specified sections

of established Minimum Internal Control Standards and replaced them with a new part titled Minimum Internal Control Standards Class II Gaming, that was published in the **Federal Register** on October 10, 2008 (73 FR 60492). The final rule provided an effective date for amendments to §§ 542.7 and 542.16 of October 13, 2009. An extension delayed the effective date of the amendments until October 13, 2010. 74 FR 52138, October 9, 2009. The NIGC is again extending the effective date of these amendments to October 13, 2011. The rule at § 543.3(c)(3) also set a deadline of within six months of the date the tribal gaming regulatory authorities' enactment of tribal internal controls for tribal operators to come into compliance with tribal internal controls. This deadline has likewise been extended to October 13, 2011.

As explained in the preamble to the final rule (73 FR 60492 (October 10, 2008)), the Commission intended these amendments to be the first part of a multi-phase process of establishing separate MICS for class II gaming and that the extended effective date would provide the necessary time to complete this process. On October 9, 2009, the Commission extended the effective date of the amendments until October 13, 2010, anticipating that all phases of the process would then be complete and that a final comprehensive set of class II MICS would take effect at that time. 74 FR 52138 (October 9, 2009). The NIGC is extending the effective date of these amendments to October 13, 2011, to allow time for the transition as contemplated by the final rule.

#### List of Subjects in 25 CFR Part 543

Administrative practice and procedure, Gambling, Indians—lands, Reporting and recordkeeping requirements.

■ For the reasons set forth above, under the authority at 25 U.S.C. 2701, 2702, 2706, *et seq.*, the effective date for the amendments to §§ 542.7 and 542.16 for the final rule published October 10, 2008, 73 FR 60492, is delayed from October 13, 2010, until October 13, 2011 and 25 CFR Part 543 is amended as set forth below:

#### PART 543—MINIMUM INTERNAL CONTROL STANDARDS FOR CLASS II GAMING

■ 1. The authority citation for Part 543 continues to read as follows:

**Authority:** 25 U.S.C. 2701 *et seq.*

■ 2. Section 543.3 is amended by revising paragraph (c)(3) to read as follows:

#### § 543.3 How do tribal governments comply with this part?

\* \* \* \* \*

(c) \* \* \*

(3) Establish a deadline, no later than October 13, 2011, by which a gaming operation must come into compliance with the tribal internal control standards. However, the tribal gaming regulatory authority may extend the deadline by six months if written notice citing justification is provided to the Commission no later than two weeks before the deadline.

\* \* \* \* \*

Dated: September 7, 2010.

**Tracie L. Stevens,**

*Chairwoman.*

**Steffani A. Cochran,**

*Vice-Chairperson.*

**Daniel Little,**

*Associate Commissioner.*

[FR Doc. 2010-22661 Filed 9-9-10; 8:45 am]

**BILLING CODE 7565-01-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2010-0782]

RIN 1625-AA00

#### Safety Zone; NASSCO Launching of USNS Washington Chambers, San Diego Bay, San Diego, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the navigable waters of the San Diego Bay in support of the NASSCO Ship Launching for the USNS Washington Chambers. The safety zone is necessary to provide for the safety of vessels and users of the waterway. Persons and vessels are prohibited from entering into, transiting through, or anchoring within this safety zone unless authorized by the Captain of the Port (COTP) San Diego or his designated representative.

**DATES:** This rule is effective from 9:15 a.m. through 11:15 a.m. on September 11, 2010.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2010-0782 and are available online by going to <http://www.regulations.gov>, inserting USCG-2010-0782 in the "Keyword" box, and then clicking "Search." They

are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary rule, call or e-mail Petty Officer Corey McDonald, Waterways Management, U.S. Coast Guard Sector San Diego, Coast Guard; telephone 619-278-7262, e-mail [Corey.R.McDonald@uscg.mil](mailto:Corey.R.McDonald@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it was impracticable since the logistical details of the launching were not finalized nor presented to the Coast Guard in time to draft and publish an NPRM. As such, the event would occur before the rulemaking process was complete. Any delay in the regulation's effective date would be contrary to the public interest, as immediate action is necessary to provide for the safety of vessels and users of the waterway.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The issuance of final approval was so recent that the rule will be made effective less than 30 days after publication. Any delay in the effective date of this rule will expose vessels and persons of the waterway to dangers posed by ship launchings.

##### Basis and Purpose

The Coast Guard is establishing a temporary safety zone on the navigable waters of the San Diego Bay to contribute to the safety of the USNS Washington Chambers and surrounding vessels as this ship launches from