plans using the FY 2003 allotment's redistribution amounts.

In accordance with the provisions of Executive Order 12866, this final notice was reviewed by the Office of Management and Budget.

IV. Waiver of Delay in Effective Date

[If you choose to comment on issues in this section, please include the caption ''Waiver of Notice of Proposed Rulemaking and Delayed Effective Date'' at the beginning of your comments.]

We ordinarily publish a proposed notice in the **Federal Register** to provide a period of public comment before the provisions of a notice, such as this, are effective in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). We also ordinarily provide a 30-day delay in the effective date of the provisions of a notice in accordance with section 553(d) of the APA (5 U.S.C. 553(d)). However, we can waive both the notice of proposed rulemaking and the 30-day delay in effective date if the Secretary finds, for good cause, that it is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons in the notice.

We find there is good cause to waive notice of proposed rulemaking and the delay in the effective date of this issuance of the FY 2003 redistributed allotments and the additional allotments to eliminate the FY 2006 shortfall in SCHIP funding because such notice of proposed rulemaking and the delay in the effective date would be contrary to the public interest.

We determined the amounts of the FY 2003 redistributed allotments and additional allotments to eliminate the FY 2006 shortfall as expeditiously as possible in order to make them available to the States as soon as possible. To that end, all States had until November 30, 2005 to submit their required fourth quarter FY 2005 expenditure reports. In determining the FY 2003 redistributed amounts, we used State projected expenditures as contained in the most recent (November, 2005) States' quarterly budget report submissions. The redistributed FY 2003 allotments make available Federal funds to the recipient redistribution States, which is especially important for those redistribution States that may need such funds.

Furthermore, under section 2104(e) of the Act and section 2104(d)(5) of the Act, the FY 2003 redistributed allotments and the additional allotments to eliminate the FY 2006 shortfall in SCHIP funding, are only available through the end of the fiscal year in which they are redistributed/distributed, for example, until the end of FY 2006 (September 30, 2006). We believe it is important that we issue these redistributed allotments and additional allotments as soon as possible. Delay in States receiving those funds could result in disruption of program operations. Therefore, in the interest of ensuring that the FY 2003 redistributed allotments and the additional allotments to eliminate the FY 2006 shortfall in SCHIP funding are made available without delay to those States that need such funds, we are waiving notice of proposed rulemaking and the 30-day delay in effective date, and are publishing this issuance of the **Federal Register** as a notice with comment period.

Accordingly, we provisionally will make the FY 2003 redistributed funds and the additional allotments to eliminate the FY 2006 shortfall in SCHIP funding available to any State that has spent all of its available SCHIP allotments effective immediately upon publication of this notice with comment period. These FY 2003 redistributed funds are subject to final adjustment based on comments received in response to this notice with comment period. Any such adjustments resulting from review and analysis of comments will be published in the **Federal Register** within 60 days of the close of the comment period. (Section 1102 of the Social Security Act (42 U.S.C. 1302).)

(Authority: Section 1102 of the Social Security Act (42 U.S.C. 1302))

(Catalog of Federal Domestic Assistance Program No. 93.767, State Children's Health Insurance Program)

Dated: March 17, 2006.

Mark B. McClellan,

Administrator, Centers for Medicare & Medicaid Services.

Dated: April 6, 2006.

Michael O. Leavitt,

Secretary.

[FR Doc. 06–3833 Filed 4–19–06; 12 pm]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

MicroArray Quality Control Project on the Evaluation of Analysis Protocols for Deoxyribonucleic Acid Microarray Data

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of solicitation.

SUMMARY: The Food and Drug Administration (FDA) is soliciting gene expression datasets from deoxyribonucleic acid (DNA) microarray studies, as well as proposals to analyze these datasets in order to evaluate the impact of different analysis protocols on the selection of genes and their associated signatures for biomarker pattern development. This project is being coordinated by FDA as a followup to the MicroArray Quality Control (MAQC) Project. This evaluation process is open to the public.

DATES: Datasets and proposals for participation in the project must be received by the National Center for Toxicological Research on or before 4:30 p.m. c.s.t. on May 31, 2006, or be postmarked on or before May 31, 2006.

ADDRESSES: Datasets and proposals should be sent to Leming Shi, National Center for Toxicological Research, Food and Drug Administration, 3900 NCTR Rd., Jefferson, AR 72079, 870–543–7387, FAX: 870–543–7686; e-mail: *leming.shi@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION: FDA's Critical Path Initiative (*http://www.fda.gov/oc/initiatives/criticalpath*) identifies pharmacogenomics as a key opportunity in advancing medical product development and personalized medicine. FDA issued the ''Guidance for Industry: Pharmacogenomic Data Submissions'' (*http://www.fda.gov/cder/guidance/6400fnl.pdf*) to facilitate scientific progress in the field of pharmacogenomic data integration in drug development and medical diagnostics.

A microarray is a tool for analyzing gene expression. It consists of a small membrane or glass slide containing samples of many genes arranged in a regular pattern. DNA is a nucleic acid—usually in the form of a double helix—that contains the genetic instructions specifying the biological development of all cellular forms of life and most viruses. DNA microarray is a collection of microscopic DNA spots attached to a solid surface, such as glass, plastic or silicon chip forming an array. DNA microarrays represent a core technology in pharmacogenomics and toxicogenomics; however, before this technology can be reliably applied in clinical practice and regulatory decisionmaking, further evaluation is needed of the process for the analysis of hybridization data that results in predictive signatures.

The MAQC project involves six FDA centers, major providers of microarray platforms and ribonucleic acid (RNA) samples, government agencies, academic laboratories, and other

stakeholders. The MAQC project will work with participating scientists to develop baseline practices for the analysis of hybridization data. Original datasets, analyses, and conclusions from this project will be made available to the public throughout the project. For more information about the MAQC project, please visit *http://www.fda.gov/nctr/science/centers/toxicoinformatics/maqc/*.

Dated: April 13, 2006.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E6–5995 Filed 4–20–06; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2001N–0464 (formerly Docket No. 01N–0464)]

Vaccine Adverse Event Reporting; Revised Form VAERS–2; Withdrawal of Proposed Revised Form

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; withdrawal.

SUMMARY: The Food and Drug Administration (FDA) is announcing the withdrawal of a proposed revised form that was issued in the **Federal Register** on November 20, 2001.

DATES: April 21, 2006.

FOR FURTHER INFORMATION CONTACT: Joseph L. Okrasinski, Jr., Center for Biologics Evaluation and Research (HFM–17), Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448, 301–827–6210.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of November 20, 2001 (66 FR 58153), FDA announced the availability of a proposed revised form entitled ''Vaccine Adverse Event Reporting System'' (Form VAERS–2) dated July 2001. This proposed revised form is being withdrawn because FDA is no longer pursuing changes to the form.

Dated: April 12, 2006.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E6–5970 Filed 4–20–06; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HOMELAND SECURITY

United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program; Notice of Availability of a Final Programmatic Environmental Assessment (PEA) and a Finding of No Significant Impact (FONSI) on the US-VISIT Plan for Potential Changes to Immigration and Border Management Processes

AGENCY: US-VISIT, DHS.

ACTION: Notice of availability.

SUMMARY: A Final Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI) for the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) program are available to the public for electronic download. The Final PEA examines the potential environmental impacts of four strategic approaches to enhance immigration and border management processes and addresses the substantive comments received on the Draft PEA during the public comment period. These four approaches are aimed at improving information available to determine the identity and immigration status of individuals traveling to and from the United States. The Final PEA resulted in a FONSI that selected the proposed action, or Hybrid Alternative, as the approach to enhance the immigration and border management enterprise. The Final PEA and FONSI are made available to the public in accordance with the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality (CEQ) regulations for implementing NEPA.

DATES: The Final PEA and FONSI will be available to the public on April 17, 2006.

ADDRESSES: Copies of the Final PEA and FONSI may be obtained by download through the Internet at *http://www.dhs.gov/us-visit*.

FOR FURTHER INFORMATION CONTACT: Lisa Mahoney, US–VISIT Environmental Program Manager, at (202) 298–5245, Monday–Friday, 8 a.m.—5 p.m. EDT.

SUPPLEMENTARY INFORMATION: US-VISIT published a Notice of Availability of a Draft Programmatic Environmental Assessment (PEA) on the US-VISIT Plan for Potential Changes to Immigration and Border Management Processes in the **Federal Register** (71 FR 8602, February 17, 2006). The Notice briefly discussed four strategic approaches analyzed in the Draft PEA, informed the public on how to obtain a copy of the Draft PEA, requested comments from the public on the Draft PEA during the public commenting period, and informed the public on the location and time of public meetings in seven locations in the United States during the public comment period. The comment period ended on March 18, 2006. Thirty-two (32) comments were received and considered by US-VISIT.

The proposed action, or Hybrid Alternative, has been selected as the approach by which enhancements will be made to immigration and border management processes. This approach was selected after careful review of the environmental assessment and consideration of input received from the public and other federal and state agencies during the public comment period. The Hybrid Alternative was chosen because it provides the most opportunity for the entities responsible for immigration and border management to incorporate and balance the most useful components of the virtual and physical border alternatives to achieve security, facilitation, individual privacy, and immigration system integrity goals. A review of the relative impacts showed that no alternative would result in a significant impact and that the Hybrid Alternative ranked second in terms of environmental preference. As warranted, tiered environmental analyses for specific initiatives at the land border ports of entry resulting from selection of the Hybrid Alternative will be conducted and these tiered analyses will be made available to the public. A collection or ''toolbox'' of strategies and information for monitoring, mitigation, and environmental stewardship will also be developed to be used in implementing the Hybrid Alternative.

Juan Reyes,

Director, Office of Safety and Environmental Programs, Department of Homeland Security.

[FR Doc. E6–5971 Filed 4–20–06; 8:45 am]

BILLING CODE 4410–10–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[DHS–2005–0053]

Privacy Act of 1974; Systems of Records

AGENCY: Department of Homeland Security; United States Customs and Border Protection.

ACTION: Notice of revision to and expansion of Privacy Act system of records.