

Because this final rule involves a matter relating to public property, notice and public procedure and a delayed effective date are not required pursuant to 5 U.S.C. 553 (a)(2). In addition, pursuant to 5 U.S.C. 553(b)(B), I find that notice and public procedure on this rule is impracticable and contrary to the public interest because any delay in this action will result in an unacceptably high risk of danger to the President, the First Family, and others in the White House Complex. Moreover, any delay in implementing the street closures after the announcement of an intent to take such action would increase these risks. For the same reasons, I find pursuant to 5 U.S.C. 553(d) that there is good cause to waive the 30-day delayed effective date.

It has been determined that this final rule is not a significant regulatory action under Executive Order 12866.

Because no notice of proposed rulemaking is required for this rule, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601) do not apply.

List of Subjects in 31 CFR Part 413

Federal Buildings and Facilities, Security Measures.

For the reasons set out in the preamble, 31 CFR chapter IV is amended as set forth below.

1. Part 413 is added to read as follows:

PART 413—CLOSURE OF STREETS NEAR THE WHITE HOUSE

Sec.

413.1 Closure of Streets.

413.2 Coordination with other Authority.

Authority: 31 U.S.C. 321, 18 U.S.C. 3056, 3 U.S.C. 202, Treasury Order 170-09.

§ 413.1 Closure of Streets.

(a) *District of Columbia.* The following streets in the District of Columbia are closed to public vehicular traffic:

(1) The segment of Pennsylvania Avenue, Northwest, situated between Madison Place, Northwest, and Seventeenth Street, Northwest;

(2) The 1600 block of State Place, Northwest, situated between Seventeenth Street, Northwest, and the White House Complex; and

(3) The segment of South Executive Avenue that connects to the 1600 block of State Place, Northwest.

(b) *Authorized access.* The streets described in paragraph (a) shall remain open to public pedestrian use, official use of the United States, and authorized vehicular access for ingress and egress to the White House Complex and adjacent Federal Buildings.

§ 413.2 Coordination with other authorities.

Nothing in section 413.1 shall be in derogation of any authority conferred upon the Secretary of the Interior, the Secretary of the Treasury or the Director, United States Secret Service.

Dated: May 23, 1995.

Eljay B. Bowron,

Director.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD01-95-017]

Special Local Regulation: Harvard-Yale Regatta, Thames River, New London, CT

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The annual Harvard-Yale Regatta is a rowing race event held on the Thames River in New London, Connecticut. This regulation temporarily amends the permanent regulation published in 33 CFR 100.101 by changing the time period for the event. These regulations are necessary to control vessel traffic within the immediate vicinity of the event due to the confined nature of the waterway and anticipated congestion at the time of the event, thus providing for the safety of life and property on the affected navigable waters.

EFFECTIVE DATES: This rule is effective from 3:30 p.m. to 8 p.m. on June 10, 1995. If the event is postponed for any reason, the regulations will be effective between the hours of 6 a.m. and 9 a.m. on June 11, 1995.

FOR FURTHER INFORMATION CONTACT: Lieutenant (Junior Grade) Benjamin M. Algeo, Chief Boating Affairs Branch, First Coast Guard District, (617) 223-8310.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of this notice are Lieutenant (Junior Grade) B.M. Algeo, project officer, Chief, Boating Affairs Branch, First Coast Guard District and Lieutenant Commander S.R. Watkins, project counsel, First Coast Guard District Legal Office.

Regulatory History

A notice of proposed rulemaking (NPRM) was published on April 24,

1995 proposing a permanent change to the effective period in the current regulation found in 33 CFR 100.101. The proposed change would provide for a flexible time period during which the event would be held because event times are dependent upon certain tidal conditions which vary from year to year. The comment period established in the April 24, 1995 NPRM extends beyond the date of this year's race, therefore a temporary final rule is necessary to change the event times for this year's race. No NPRM was published specifically for this temporary final rule and good cause exists for making it effective in less than 30 days after **Federal Register** publication. The Harvard-Yale Regatta is a long-standing and popular local event. The public is well aware of the general procedures followed to hold this annual event. This regulation simply changes the time of the event to allow the race committee to hold the event during optimal tidal conditions. Little commercial traffic is known to transit the area. Sufficient notice will be provided for any affected party to alter plans with minimal impact. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to any potential hazards to the maritime public.

Background and Purpose

This temporary final rule changes the published time of the Harvard-Yale Regatta found in the permanent regulation at 100 CFR 100.101. The event sponsor has determined that optimal tidal conditions for this year's event exist between 3:30 p.m. and 8 p.m. on Saturday, June 10, 1995 (and between 6 a.m. and 9 a.m. on the alternate date, Sunday, June 11, 1995). These race times also will be published prior to the event in the Coast Guard Local Notice to Mariners. In order to provide for the safety of spectators and participants, the Coast Guard will restrict vessel movement in the race course area and will allow vessels to transit the regulated area under Coast Guard escort.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040,

February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that this rule makes only a slight change to the effective period found in the permanent rule at 33 CFR 100.101. The public is fully aware of the terms and conditions of this annual event. Commercial traffic on the affected portion of the Thames River is infrequent. The race is popular and of short duration. Local commercial entities and the U.S. Navy have been notified of the race schedule. Vessel traffic may be allowed to transit the regulated area at the discretion of the patrol commander.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. Small entities include independently owned and operated small businesses that are not dominant in their field, and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). For the reasons set forth in the above Regulatory Evaluation, the Coast Guard expects the impact of this regulation to be minimal, and certifies under 5 U.S.C. 605(b) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612, and has determined that this regulation does not raise sufficient federalism implications to warrant the preparation of a Federal Assessment.

Environment

The Coast Guard has considered the environmental impact of this regulation and in accordance with paragraph 2.B.2.e(35)(3) of Commandant Instruction M16475.1B, the event is deemed to be categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Records and recordkeeping requirements, Waterways.

For the reasons set forth in the preamble, the Coast Guard temporarily amends part 100 of title 33, Code of Federal Regulations, as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. In § 100.101, paragraph (b) is suspended and a new paragraph (d) is temporarily added to read as follows:

§ 100.101 Harvard-Yale Regatta, Thames River, New London, CT.

* * * * *

(d) *Effective period.* This section is effective between the hours of 3:30 p.m. and 8 p.m. on June 10, 1995. If the races scheduled for June 10, 1995 are postponed, this section will be effective between the hours of 6 a.m. and 9 a.m. on June 11, 1995.

Dated: May 15, 1995.

J.L. Linnon,

Rear Admiral, U. S. Coast Guard, Commander, First Coast Guard District.

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33 CFR Part 100

[CGD 09-95-010]

Special Local Regulation; Geneva Offshore Grand Prix, Lake Erie, Geneva-on-the-Lake, OH

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: A special local regulation is being adopted for the Geneva Offshore Grand Prix. This event will be held on Lake Erie, Geneva-on-the-Lake, OH, on May 28, 1995. The Geneva Offshore Grand Prix will have an estimated 35 offshore race boats racing a closed course race on Lake Erie which could pose hazards to navigation in the area. This regulation will restrict general navigation on Lake Erie between Cowles Creek and the Redbrook Boat Club and is needed to provide for the safety of life, limb, and property on navigable waters during the event.

EFFECTIVE DATE: This regulation is effective from 11 a.m. (EDST) until 3 p.m. (EDST) on May 28, 1995.

FOR FURTHER INFORMATION CONTACT:

Marine Science Technician Second Class Jeffrey M. Yunker, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, Room 2083, 1240 East Ninth Street, Cleveland, Ohio, 44199-2060, (216) 522-3990.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The application to hold this event was not received by the Commander, Ninth Coast Guard District, until May 4, 1995, and there was not sufficient time remaining to publish a proposed rule in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of this notice are Lieutenant Junior Grade Byron D. Willeford, Project Officer, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, and Lieutenant Karen E. Lloyd, Project Attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulation

The Geneva Offshore Grand Prix will be held on Lake Erie between Cowles Creek and the Redbrook Boat Club on May 28, 1995. This event will have an estimated 35 offshore race boats racing a closed course race on Lake Erie which could pose hazards to navigation in the area. The effect of this rule will be to restrict general navigation on that portion of Lake Erie, in an area rectangular in shape, from the mouth of Cowles Creek, west along the shoreline approximately 4.4 statute miles, extending offshore approximately 0.7 statute miles, for the safety of spectators and participants. This regulation is necessary to ensure the protection of life, limb, and property on navigable waters during this event. Any vessel desiring to transit the regulated area may do so only with prior approval of the Patrol Commander (Officer in Charge, U.S. Coast Guard Station Ashtabula, OH).

This rule is issued pursuant to 33 U.S.C. 1233 as set out in the authority citation for all of Part 100.

Federalism Implications

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient