

enactment of this provision. The request should be furnished in writing, *inter alia* to provide documentation reconciling the number of visas issued with the lesser amount of fees collected.

Thus, the current text of 22 CFR 41.107(c) will become "(c)(1)" and a new (c)(2) will set forth the data required to support the waiver of the fees. These include, in (c)(2)(i), disclosure of whether the organization, if U.S.-based, is tax exempt as a charitable organization under 26 U.S.C. 501(c) or, if foreign, is equivalently recognized as a charitable organization in the country in which based. Section 41.107(c)(2)(ii) requires that the activities in which the alien(s) will engage will be charitable in nature, providing assistance to the poor and needy including, but not limited to, those activities identified in the legislation. Section 41.107(c)(2)(iii) requires such identifying information as the location in which the services will be provided and the number of and identifying data regarding each of the alien(s) concerned. Finally, § 41.107(c)(2)(iv) seeks data on the proposed duration of the temporary stay of the alien(s) in the United States, which should be commensurate with both the classification in which the alien(s) will be applying and the purposes for which the alien(s) will be entering the United States.

**Regulatory Analysis and Notices**

*Interim Rule*

The implementation of this rule as an interim rule, with a 60-day provision for post-promulgation public comments, is based on the "good cause" exceptions set forth at 5 U.S.C. 553(b)(3)(B) and 553(d)(3). The provision of law being implemented became effective on enactment on October 7, 1997. It provides a benefit to institutions that it is in the interest of the United States as determined by Congress to benefit. Delay of the benefit for public notice and comment is unnecessary and inconsistent with the intent of the law.

*The Regulatory Flexibility Act*

Pursuant to § 605 of the Regulatory Flexibility Act, the Department has assessed the potential impact of this rule, and the Assistant Secretary for Consular Affairs hereby certifies, that it is not expected to have a significant economic impact on a substantial number of small entities and will benefit those that are charitable organizations.

*E.O. 12988 and E.O. 12866*

This rule has been reviewed as required under E.O. 12998 and determined to be in compliance therewith. This rule is exempt from review under E.O. 12866, but has been reviewed internally by the Department to ensure consistency therewith. The rule does not directly affect states or local governments or Federal relationships and does not create unfunded mandates.

*5 U.S.C. Chapter 8*

As required by 5 U.S.C., chapter 8, the Department has screened this rule and determined that it is not a major rule, as defined in 5 U.S.C. 80412.

*Paperwork Reduction Act*

While charitable organizations requesting this benefit will have to apply with information matching their situation to legal requirements, that information will be used for agency decisions on individual visas and not used for public dissemination or statistical purposes.

**List of Subjects in 22 CFR Part 41**

Aliens, Nonimmigrants, Passports, Visas.

In view of the foregoing, 22 CFR part 41 is amended as follows:

**PART 41—[AMENDED]**

1. The authority citation for part 41 continues to read:

**Authority:** 8 U.S.C. 1104.

2. Section 41.107 is amended by redesignating paragraph (c) as paragraph (c)(1) and adding a new paragraph (c)(2) to read as follows:

**§ 41.107 Visa fees.**

\* \* \* \* \*

(c) \* \* \*

(2) The consular officer shall waive the nonimmigrant visa application and issuance fees for an alien who will be engaging in charitable activities for a charitable organization upon the written request of the charitable organization claiming that it will find the fees a financial burden, if the consular officer is satisfied that:

(i) The organization seeking relief from the fees is, if based in the United States, tax-exempt as a charitable organization under the provisions of section 501(c)(3) of the Internal Revenue Code (26 U.S.C. 501(c)(3)); if a foreign organization based outside the United States, it establishes that it is recognized as a charitable institution by the government of the country in which it is based under criteria substantially similar to those of section 501(c)(3), and

(ii) The charitable activities in which the alien will engage are specified and will be a part of, or will be related to and in support of, the organization's provision of services, including but not limited to health care, food and housing, job training, and similar direct services and assistance to the poor and needy, and

(iii) The request includes the location of the proposed activities, the number and identifying data of each of the alien(s) who will be applying for visas, and

(iv) The proposed duration of the alien(s)'s temporary stay in the United States is reasonably consistent with the charitable purpose for which the alien(s) seek to enter the United States.

\* \* \* \* \*

Dated: April 15, 1998.

**Donna J. Hamilton,**

*Acting Assistant Secretary for Consular Affairs.*

[FR Doc. 98-11533 Filed 4-30-98; 8:45 am]

BILLING CODE 4710-06-P

**DEPARTMENT OF JUSTICE**

**28 CFR Part 51**

[Order No. 2149-98]

RIN 1190-AA35

**Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, as Amended; Revision of Procedures**

**AGENCY:** Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** The Department of Justice is revising its administrative guidelines regarding preclearance of voting changes under Section 5 of the Voting Rights Act of 1965. The amendment is necessary to conform the Department's guidelines with recent case law.

**DATES:** Effective May 1, 1998.

**FOR FURTHER INFORMATION CONTACT:** David H. Hunter, Attorney, Voting Section, Civil Rights Division, 202-307-2898, 1-800-253-3931, or david.h.hunter@usdoj.gov.

**SUPPLEMENTARY INFORMATION:** Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c, requires certain jurisdictions (listed in the appendix to the Procedures) to obtain "preclearance" from either the United States District Court for the District of Columbia or from the United States Attorney General before implementing any new standard, practice, or procedure that affects voting.

The Supreme Court held in *Reno v. Bossier Parish School Board*, 117 S.Ct.

1491, 1497 (1997), that a voting change that violates Section 2 of the Voting Rights Act, 42 U.S.C. 1973 (which proscribes practices that have discriminatory results), should not on that basis alone be denied Section 5 preclearance. Accordingly, we are deleting paragraph (2) of § 51.55(b) ("Section 2").

Good cause exists under 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d) for implementing this rule as a final rule effective immediately without provision for public comment. The amendment simply conforms the Procedures to the Supreme Court's interpretation of the Voting Rights Act. Public comment could have no effect on this amendment.

#### List of Subjects in 28 CFR Part 51

Administrative practice and procedure, Archives and records, Authority delegations (Government agencies), Civil rights, Elections, Voting rights.

For the reasons stated in the preamble, 28 CFR Part 51 is amended as follows:

#### PART 51—PROCEDURES FOR THE ADMINISTRATION OF SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED

1. The authority citation for part 51 continues to read as follows:

**Authority:** 5 U.S.C. 301; 28 U.S.C. 509, 510; and 42 U.S.C. 1973c.

#### § 51.55 [Amended]

2. In § 51.55, the designation of paragraph (b) (1) and the word "subsequently" are removed from paragraph (b), and paragraph (b)(2) is removed.

Dated: April 23, 1998.

**Janet Reno,**

*Attorney General.*

[FR Doc. 98-11604 Filed 4-30-98; 8:45 am]

BILLING CODE 4410-13-M

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD 05-98-031]

#### Special Local Regulations for Marine Events; Approaches to Annapolis Harbor, Spa Creek, and Severn River, Annapolis, MD

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of implementation.

**SUMMARY:** This notice implements the special local regulations during the transit of participating vessels from Annapolis Harbor, Maryland, to the race start area on the Chesapeake Bay for Leg 8 of the Whitbread Round-the-World sailing race on May 3, 1998. These special local regulations are necessary to control vessel traffic in the vicinity of Spa Creek and the Severn River due to the confined nature of the waterway and expected vessel congestion during the transit of the racers. The effect will be to restrict general navigation in the regulated area for the safety of race participants, spectator craft and other vessels transiting the event area.

**DATES:** The special local regulations are effective from 10 a.m. EDT (Eastern Daylight Time) to 11 a.m. EDT on May 3, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Chief Warrant Officer R.L. Houck, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, MD 21226-1971, (410) 576-2674.

**SUPPLEMENTARY INFORMATION:** The start for Leg 8 of the Whitbread Round-the-World sailing race will be held in the vicinity of Annapolis, Maryland, on May 3, 1998. The vessels participating in the race will conduct an organized transit from Annapolis Harbor to the race start area. Therefore, to ensure the safety of the racers, spectators and transiting vessels, 33 CFR 100.511 will be in effect for the duration of the transit to the race start area. Under provisions of 33 CFR 100.511, a vessel may not enter the regulated area unless it receives permission from the Coast Guard Patrol Commander, and the operator of any vessel in the regulated area shall stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign. Spectator vessels may anchor outside the regulated area but may not block a navigable channel. Because these restrictions will be in effect for a limited period, they should not result in a significant disruption of maritime traffic.

Dated: April 21, 1998.

**J.S. Carmichael,**

*Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.*

[FR Doc. 98-11649 Filed 4-30-98; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP San Diego; 98-009]

RIN 2115-AA97

#### Safety Zone; Colorado River, Laughlin, NV

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the navigable waters of the Colorado River, Laughlin, Nevada, for the Laughlin River Days marine event on May 30 and 31, 1998. The Laughlin River Days event consists of various watercraft races and other maritime festivities. The safety zone supporting this event consists of a circular area with a radius of approximately 1500 feet centered around a single buoy located approximately equidistant between the following two points: the Laughlin Bridge, and 500 feet north of the launch ramp at Davis Camp. This safety zone is established to protect the lives and property of the event participants and spectators by establishing an exclusionary zone around the race course. Entry into, transit through, or anchoring within this zone is prohibited unless authorized by the Captain of the Port.

**DATES:** This regulation is effective from 7 a.m. (PDT) until 6:30 p.m. (PDT) on May 30 and 31, 1998.

**ADDRESSES:** Marine Safety Office San Diego, 2716 N. Harbor Drive, San Diego, CA 92101-1064.

#### FOR FURTHER INFORMATION CONTACT:

LT Mike Arguelles, U.S. Coast Guard, Marine Safety Office, San Diego at (619) 683-6484.

#### SUPPLEMENTARY INFORMATION:

#### Regulatory Information

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publication of a notice of proposed rulemaking and delay of its effective date would be contrary to the public interest since the details of the safety zone boundaries necessary to support the Laughlin River Days marine event, and other logistical details surrounding the event, were not finalized until a date fewer than 30 days prior to the event date.