

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; and 33 CFR 1.05–1(g), 6.04–6, and 160.5; and 49 CFR 1.46.

2. A new temporary section 165.T09–023 is added to read as follows:

§ 165.T09–023 Safety zone: Lake Erie, Huron Boat Basin, Huron River, Huron Ohio.

(a) *Location.* The following area is a temporary safety zone: The waters and adjacent shoreline inside a 560' radius as extended from position 41°23'45" N, 082°32'55" W, Lake Erie, Ohio. All nautical positions are based on North American Datum of 1983.

(b) *Effective dates.* This regulation is effective between the hours of 10 a.m. to 11 p.m., July 8, 2000, unless terminated earlier by the Captain of the Port.

(c) *Restrictions.* In accordance with the general regulations in section 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: June 14, 2000.

David L. Scott,

Commander, U.S. Coast Guard, Captain of the Port.

[FR Doc. 00–16245 Filed 6–26–00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD09–00–022]

RIN 2115–AA97

Safety Zone—Lake Erie, Maumee River, Ohio

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the Maumee River, in the state of Ohio. This zone restricts the entry of vessels into the area designated for the July 4th, 2000 fireworks display. This temporary safety zone is necessary to protect mariners in case of accidental misfire of fireworks mortar rounds.

DATES: This rule is effective from 8:30 a.m., to 11 p.m. July 4, 2000.

ADDRESSES: The U.S. Coast Guard Marine Safety Office in Toledo, Ohio maintains the public document for this rule. Documents identified in this rule will be available for public copying and inspection between 9:30 a.m. and 2 p.m., Monday through Friday, except federal holidays. The Marine Safety Office is located at 420 Madison Ave,

Suite 700, Toledo, Ohio 43604; (419) 259–6372.

FOR FURTHER INFORMATION CONTACT: Chief Marine Science Technician Michael Pearson, Asst. Chief of Port Operations, Marine Safety Office, 420 Madison Ave, Suite 700, Toledo, Ohio 43604; (419) 259–6372.

SUPPLEMENTARY INFORMATION: We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for not publishing an NPRM.

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**. Publication of a notice of proposed rulemaking and delay of effective date would be contrary to public interest because immediate action is necessary to protect the maritime public and other persons from the hazards associated with fireworks displays. We had insufficient time to publish a Notice of Proposed Rulemaking because we did not receive adequate advance notice of this event.

Background and Purpose

This temporary rule is necessary to ensure the safety of the maritime community during setup, loading and firing operations of fireworks in conjunction with the City of Toledo Fireworks. Entry into the safety zone without permission of the Captain of the Port is prohibited.

The Captain of the Port may be contacted via Coast Guard Station Toledo on VHF–FM Channel 16.

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. The Office of Management and Budget has not reviewed this rule 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). This finding is based on the historical lack of vessel traffic at this time of year.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and

governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for less than one day when vessel traffic can pass safely around the safety zone.

Assistance for Small Entities

In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), assistance to small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process is available upon request. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal government having first provided the funds to pay those costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and

Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2-1, paragraph (34)(g), of Commandant Instruction M16475.LC, this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Vessels, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; and 33 CFR 1.05-1(g), 6.04-6, and 160.5; and 49 CFR 1.46.

2. A new temporary section 165.T09-022 is added to read as follows:

§ 165.T09-022 Safety zone: Lake Erie, Maumee River, Ohio.

(a) *Location.* The following area is a temporary safety zone: The waters and adjacent shoreline extending from the bow of the museum ship *SS Willis B. Boyer* then NNE to the south end of the City of Toledo Street, Harbors and Bridges Building then SW to the red nun bouy #64 then SSE to the museum ship *SS Willis B. Boyer*. A triangle as formed by positions 41° 38' 35" N, 083° 31' 54" W; 41° 38' 51" N, 083° 31' 50" W; 41° 38' 48" N, 083° 31' 58" W. All nautical positions are based on North American Datum of 1983.

(b) *Effective date.* This regulation is effective between the hours of 8:30 a.m. to 11 p.m., July 4, 2000, unless terminated earlier by the Captain of the Port.

(c) *Restrictions.* In accordance with the general regulations in section 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: June 13, 2000.

David L. Scott,

Commander, U.S. Coast Guard, Captain of the Port.

[FR Doc. 00-16244 Filed 6-26-00; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1290 and Chapter XIV

RIN 3095-AB00

John F. Kennedy Assassination Records Collection Rules

AGENCY: National Archives and Records Administration (NARA).

ACTION: Final rule.

SUMMARY: NARA is transferring regulations providing guidance for the interpretation and implementation of the John F. Kennedy Assassination Records Collection Act of 1992 from 36 CFR chapter XIV to chapter XII without substantive change. The Assassination Records Review Board that originally issued the regulations terminated on September 30, 1998, but NARA has determined that these regulations are still required to provide guidance to agencies.

EFFECTIVE DATE: June 27, 2000.

FOR FURTHER INFORMATION CONTACT:

Nancy Allard at telephone number 301-713-7360, ext. 226, or fax number 301-713-7270.

SUPPLEMENTARY INFORMATION: The Assassination Records Review Board was established by the John F. Kennedy Assassination Records Collection Act of 1992 (106 Stat. 3443). At the termination of the Review Board on September 30, 1998, its records were transferred to the Archivist of the United States. NARA continues to maintain and supplement the collection under the provisions of the Act. NARA is, therefore, the successor in function to this defunct independent agency.

The Review Board issued regulations at 36 CFR chapter XIV providing guidance on the Act (part 1400) on June 28, 1995. In this final rule we are transferring those regulations without

substantive change to a new 36 CFR part 1290 in new subchapter H. Agencies continue to identify records that may qualify as assassination records and need to have this guidance available.

Other Review Board regulations implementing Government in the Sunshine Act, FOIA, and the Privacy Act for the Board's own operations (parts 1405, 1410, and 1415) are withdrawn from the Code of Federal Regulations as unnecessary. The Board's records were transferred to NARA and are now subject to NARA regulations.

This rule is effective upon publication for "good cause" as permitted by the Administrative Procedure Act (5 U.S.C. 553(d)(3)). If the rule is not effective before July 1, 2000, the regulations of the defunct Review Board in 36 CFR ch. XIV will continue to appear in the print and electronic copies of title 36. NARA believes that delaying the effective date for 30 days is unnecessary as this rule represents a minor technical amendment and there is no substantive impact on the public or Federal agencies.

This rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. This rule does not have federalism implications and is not a major rule under 5 U.S.C. 801. As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on a substantial number of small entities.

List of Subjects in 36 CFR Part 1290

Archives and records.

For the reasons set forth in the preamble and under the authority of Pub. L. 103-345 (108 Stat. 3128), NARA amends chapters XII and XIV of title 36, Code of Federal Regulations, as follows:

CHAPTER XII—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

SUBCHAPTER H—JFK ASSASSINATION RECORDS

1. In 36 CFR ch. XII, establish Subchapter H, consisting of parts 1290 through 1299, and add a heading for Subchapter H to read as set forth above.

PART 1400—[REDESIGNATED AS PART 1290]

2. Redesignate 36 CFR part 1400 as part 1290 and reserve parts 1291-1299.

CHAPTER XIV—[VACATED]

PARTS 1405, 1410, 1415—[REMOVED]

3. In 36 CFR ch. XIV, remove parts 1405, 1410, and 1415, and vacate the chapter.