

Manual, or until the approved transplant occurs.

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Dated: June 11, 2002.

**L.M. Bynum,**

*Alternate Federal Register Liaison Officer,  
Department of Defense.*

[FR Doc. 02-15220 Filed 6-24-02; 8:45 am]

BILLING CODE 5001-08-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 341

#### Deputy Secretary of Defense

**AGENCY:** Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This final regulation announces the authority of the Deputy Secretary of Defense, Dr. Paul Wolfowitz, to act for the Secretary of Defense and to exercise the powers of the Secretary of Defense upon any and all matters concerning which the Secretary of Defense is authorized to act pursuant to law. It further permits the Deputy Secretary to make specific delegations of this authority in appropriate cases.

**EFFECTIVE DATE:** January 26, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Mark Munson, Directorate of Organizational and Management Planning, Office of the Director, Administration and Management, Office of the Secretary of Defense, 1950 Defense Pentagon, Washington, DC 20301-1950, telephone 703-697-1143.

**SUPPLEMENTARY INFORMATION:**

**Executive Order 12866, "Regulatory Planning and Review"**

It has been determined that 32 CFR part 341 is not a significant regulatory action. The rule does not:

(1) Have an annual effect to the economy of \$100 million or more or adversely affect in a material way the economy; a section of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

#### Unfunded Mandates Reform Act (Sec. 202, Pub. L. 104-4)

It has been certified that this rule does not contain a Federal mandate that may result in the expenditure by State, local and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year.

#### Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. 601)

It has been certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities because it does not change existing DoD practices and it primarily affects the internal activities of the Department of Defense.

#### Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 35)

It has been certified that this rule does not impose reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995. The reporting and recordkeeping requirements have been submitted to OMB for review.

#### Federalism (Executive Order 13132)

It has been certified that this rule does not have federalism implications, as set forth in Executive Order 13132. This rule does not have substantial direct effects on:

(1) The States;

(2) The relationship between the National Government and the States; or

(3) The distribution of power and responsibilities among the various levels of government.

#### List of Subjects in 32 CFR Part 341

Organization and functions (Government agencies).

Accordingly, Chapter I, Subchapter R, of title 32 of the Code of Federal Regulations is amended to add part 341 to read as follows:

#### PART 341—DEPUTY SECRETARY OF DEFENSE

Sec.

341.1 Purpose.

**Authority:** 10 U.S.C. 301.

##### § 341.1 Purpose.

(a) In accordance with the authorities contained in 10 U.S.C. and except as expressly prohibited by law, Deputy Secretary of Defense Paul D. Wolfowitz has full power and authority to act for the Secretary of Defense and to exercise the powers of the Secretary of Defense upon any and all matters concerning which the Secretary of Defense is authorized to act pursuant to law.

(b) The all-inclusive authority reflected herein may not be delegated in toto; however, the Deputy is authorized to make specific delegations, as required.

Dated: June 18, 2002.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 02-15913 Filed 6-24-02; 8:45 am]

BILLING CODE 5001-08-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD09-02-034]

#### Safety Zone; Captain of the Port Detroit Zone

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of implementation of regulation.

**SUMMARY:** The Coast Guard is implementing safety zones for annual fireworks displays in the Captain of the Port Detroit Zone during July 2002. This action is necessary to provide for the safety of life and property on navigable waters during these events. These zones will restrict vessel traffic from a portion of the Captain of the Port Detroit Zone.

**DATES:** Effective from 12:01 a.m.

(Eastern Time) on July 1, 2002 to 11:59 p.m. (Eastern Time) on July 31, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Junior Grade Brandon Sullivan, U.S. Coast Guard Marine Safety Office Detroit, MI at (313) 568-9580.

**SUPPLEMENTARY INFORMATION:** The Coast Guard is implementing the permanent safety zones in 33 CFR 165.907 (66 FR 27868, May 21, 2001), for fireworks displays in the Captain of the Port Detroit Zone during July 2002. The following safety zones are in effect for fireworks displays occurring in the month of July 2002:

(1) *City of Wyandotte Fireworks, Wyandotte, MI.* Location: The waters off the breakwall between Oak & Van Alstyne St., Detroit River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°12' N, 083°09' W on July 2, 2002 from 9:15 p.m. until 10:15 p.m.

(2) *Caseville Fireworks, Caseville, MI.* Location: The waters off the Caseville breakwall, Saginaw River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 43°55' N, 083°17' W, on July 3, 2002, from 10 p.m. until 11 p.m.

(3) *Lake Erie Metro Park Fireworks*. Location: The waters off the Brownstown Wave Pool area, Lake Erie bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°03' N, 083°11' W, on July 4, 2002, from 10 p.m. until 11 p.m.

(4) *Trenton Fireworks Display, Trenton, MI*. Location: All waters of the Trenton Channel within a 300-yard radius of the fireworks barge in approximate position 42°09' N, 083°10' W, about 200 yards east of Trenton, in the Trenton Channel on July 4, 2002, from 10 p.m. until 11 p.m.

(5) *Port Sanilac Fireworks, Port Sanilac, MI*. Location: The waters off the South Harbor breakwall, Lake Huron bounded by the arc of a circle with a 300-yard radius with its center in approximate position 43°25' N, 082°31' W on July 4, 2002, from 10 p.m. until 11 p.m.

(6) *City of Ecorse Water Festival Fireworks, Ecorse, MI*. Location: All waters of the Ecorse Channel within a 300-yard radius of the fireworks barge in approximate position 42°14' N, 083°09' W, at the northern end of Mud Island, Ecorse, on July 4, 2002, from 10 p.m. until 11 p.m.

(7) *Port Austin Fireworks*. Location: The waters off the Port Austin breakwall on Lake Huron, bounded by the arc of a circle with a 300-yard radius with its center in approximate position 43°03' N, 082°40' W, on July 4, 2002, from 10 p.m. until 11 p.m.

(8) *Tawas City 4th of July Fireworks, Tawas, MI*. Location: The waters off the Tawas City Pier, Lake Huron bounded by the arc of a circle with a 300-yard radius with its center in approximate position 44°13' N, 083°30' W, on July 4, 2002 from 10 p.m. until 11 p.m.

(9) *Belle Maer Harbor 4th of July Fireworks, Harrison Township, MI*. Location: All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°36' N, 082°47' W, about 400 yards east of Belle Maer Harbor, Lake St. Clair—Anchor Bay on July 4, 2002, from 10 p.m. until 11 p.m.

(10) *Grosse Ile Yacht Club Fireworks, Grosse Ile, MI*. Location: The waters off the Grosse Ile Yacht Club deck, Detroit River bounded by the arc of a circle with a 300-yard radius with its center approximately located at 42°05' N, 083°09' W on July 4, 2002 from 9 p.m. to 10 p.m.

(11) *Oscoda Township Fireworks*. Location: The waters off the DNR Boat Launch at the mouth of the Ausable River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 44°19' N, 083°25'

W, on July 4, 2002, from 10 p.m. until 11 p.m.

(12) *Grosse Pointe Yacht Club 4th of July Fireworks, Grosse Pointe Shores, MI*. Location: All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°25' N, 082°52' W, about 400 yards east of the Grosse Pointe Yacht Club seawall, Lake St. Clair on July 4, 2002, from 9:30 p.m. until 11 p.m.

(13) *City of St. Clair Fireworks*. Location: The waters off St. Clair City Park, St. Clair River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°49' N, 082°29' W, on July 4, 2002, from 9:30 p.m. until 11:30 p.m.

(14) *Algonac Pickerel Tournament Fireworks, Algonac, MI*. Location: All waters of the St. Clair River within a 300-yard radius of the fireworks barge in approximate position 42°37' N, 082°32' W, between Algonac and Russell Island, St. Clair River—North Channel, on July 5, 2002, from 9:45 p.m. until 10:30 p.m.

(15) *Lexington Independence Festival Fireworks, Lexington, MI*. Location: All waters of Lake Huron within a 300-yard radius of the fireworks barge in approximate position 43°13' N, 082°30' W, about 300 yards east of the Lexington breakwall, Lake Huron, on July 6, 2002, from 7 p.m. until 12 a.m.

All coordinates are North American Datum 1983. In order to ensure the safety of spectators and transiting vessels, these safety zones will be in effect for the duration of the events. In cases where shipping is affected, commercial vessels may request permission from the Captain of the Port Detroit to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Group Detroit on channel 16, VHF-FM.

Dated: June 7, 2002.

**P.G. Gerrity,**

*Commander, Coast Guard, Captain of the Port Detroit.*

[FR Doc. 02-15795 Filed 6-24-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD01-02-069]

RIN 2115-AA97

#### Regulated Navigation Area; Kill Van Kull Channel, Newark Bay Channel, South Elizabeth Channel, Elizabeth Channel, Port Newark Channel and New Jersey Pierhead Channel, New York and New Jersey

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule; request for comments.

**SUMMARY:** The Coast Guard is amending a Regulated Navigation Area (RNA) to add restrictions on vessels transiting the Bergen Point West Reach of the Kill Van Kull during U.S. Army Corps of Engineers dredging operations in that area. This action is necessary to provide for the safety of life and property on navigable waters during dredging operations that impinge upon the navigable portion of the channel and require the temporary relocation of navigational aids. This action is intended to reduce the risks of collisions, groundings and other navigational mishaps.

**DATES:** This rule is effective from June 17, 2002 to March 30, 2003. Comments and related material must reach the Coast Guard on or before August 26, 2002.

**ADDRESSES:** The Waterways Oversight Branch of Coast Guard Activities New York maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD01-02-069 and are available for inspection or copying at Waterways Oversight Branch, Coast Guard Activities New York, 212 Coast Guard Drive, room 203, Staten Island, New York 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander C. Nichols, Vessel Traffic Service, Coast Guard Activities New York at (718) 354-4191.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for