

SUPPLEMENTARY INFORMATION: Virbac AH, Inc., 3200 Meacham Blvd., Ft. Worth, TX 76137, filed NADA 141-215 for use of EQUIMAX (ivermectin 1.87% / praziquantel 14.03%) Paste in horses for the treatment and control of various species of internal parasites. The NADA is approved as of July 11, 2003, and the regulations in 21 CFR 520.1198 are amended to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of 21 CFR part 20 and 21 CFR 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(ii)), this approval qualifies for 3 years of marketing exclusivity beginning July 11, 2003.

The agency has determined under 21 CFR 25.33(d)(1) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

List of Subjects in 21 CFR Part 520

Animal drugs.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

■ 1. The authority citation for 21 CFR part 520 continues to read as follows:

Authority: 21 U.S.C. 360b.

■ 2. Section 520.1198 is revised to read as follows:

§ 520.1198 Ivermectin and praziquantel paste.

(a) *Specifications.* Each milligram (mg) of paste contains:

(1) 0.0155 mg (1.55 percent) ivermectin and 0.0775 mg (7.75 percent) praziquantel.

(2) 0.0187 mg (1.87 percent) ivermectin and 0.1403 mg (14.03 percent) praziquantel.

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter for uses as in paragraph (d) of this section.—(1) No. 050604 for use of product described in paragraph (a)(1) of this section as in paragraphs (d)(1)(i), (d)(2)(i) and (d)(3) of this section.

(2) No. 051311 for use of product described in paragraph (a)(2) of this section as in paragraphs (d)(1)(ii), (d)(2)(ii), and (d)(3) of this section.

(c) *Special considerations.* See § 500.25 of this chapter.

(d) *Conditions of use in horses—*(1) *Amount—*(i) 200 micrograms (mcg) per kilogram (/kg) ivermectin (91 mcg per pound (/lb)) and 1 mg/kg praziquantel (454 mcg/lb) body weight.

(ii) 200 mcg/kg ivermectin (91 mcg/lb) and 1.5 mg/kg praziquantel (681 mcg/lb) body weight.

(2) *Indications for use.* For treatment and control of:

(i) Tapeworms (*Anoplocephala perfoliata*); large strongyles (adults) (*Strongylus vulgaris* (also early forms in blood vessels), *S. edentatus* (also tissue stages), *S. equinus*; *Triodontophorus* spp., including *T. brevicauda* and *T. serratus*; and *Craterostomum acuticaudatum*); small strongyles including those resistant to some benzimidazole class compounds (adults and fourth-stage larvae) (*Coronocylus* spp., including *C. coronatus*, *C. labiatus*, and *C. labratus*; *Cyathostomum* spp., including *C. catinatum* and *C. pateratum*; *Cylicocyclus* spp., including *C. insigne*, *C. leptostomum*, *C. nassatus*, and *C. brevicapsulatus*; *Cylicodontophorus* spp.; *Cylicostephanus* spp., including *C. calicatus*, *C. goldi*, *C. longibursatus*, and *C. minutus*; and *Petrovinema poculatum*); pinworms (adults and fourth-stage larvae) (*Oxyuris equi*); ascarids (adults and third- and fourth-stage larvae) (*Parascaris equorum*); hairworms (adults) (*Trichostrongylus axei*); large-mouth stomach worms (adults) (*Habronema muscae*); bots (oral and gastric stages) (*Gasterophilus* spp., including *G. intestinalis* and *G. nasalis*); lungworms (adults and fourth-stage larvae) (*Dictyocaulus arnfieldi*); intestinal threadworms (adults) (*Strongyloides westeri*); summer sores caused by *Habronema* and *Draschia* spp. cutaneous third-stage larvae; and dermatitis caused by neck threadworm microfilariae, *Onchocerca* sp.

(ii) Tapeworms (*Anoplocephala perfoliata*); large strongyles (adults) (*Strongylus vulgaris* (also early forms in blood vessels), *S. edentatus* (also tissue stages), *S. equinus*, *Triodontophorus* spp.); small strongyles including those

resistant to some benzimidazole-class compounds (adults and fourth-stage larvae) (*Cyathostomum* spp., *Cylicocyclus* spp., *Cylicostephanus* spp., *Cylicodontophorus* spp.); pinworms (adults and fourth-stage larvae) (*Oxyuris equi*); ascarids (adults and third- and fourth-stage larvae) (*Parascaris equorum*); hairworms (adults) (*Trichostrongylus axei*); large-mouth stomach worms (adults) (*Habronema muscae*); bots (oral and gastric stages) (*Gasterophilus* spp.); lungworms (adults and fourth-stage larvae) (*Dictyocaulus arnfieldi*); intestinal threadworms (adults) (*Strongyloides westeri*); summer sores caused by *Habronema* and *Draschia* spp. cutaneous third-stage larvae; and dermatitis caused by neck threadworm microfilariae, *Onchocerca* sp.

(3) *Limitations.* For oral use only. Do not use in horses for food purposes.

Dated: September 8, 2003.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 03-23995 Filed 9-24-03; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF THE TREASURY

31 CFR Part 1

RIN 1506-AA62

Financial Crimes Enforcement Network; Freedom of Information Act, Privacy Act of 1974; Implementation

AGENCY: Department of the Treasury.

ACTION: Final Rule.

SUMMARY: This document amends the Department of the Treasury's regulations on the disclosure of records under the Freedom of Information Act (FOIA) and its regulations concerning the Privacy Act of 1974 (Privacy Act), by creating new appendices to this subpart setting forth the administrative procedures by which the Financial Crimes Enforcement Network ("FinCEN") will process requests for records made under the FOIA, and setting forth the administrative procedures by which FinCEN will implement the Privacy Act.

EFFECTIVE DATE: September 25, 2003.

FOR FURTHER INFORMATION CONTACT: Christine Schuetz, Attorney-Advisor, Office of Chief Counsel, FinCEN, at (703) 905-3590.

SUPPLEMENTARY INFORMATION: Prior to October 26, 2001, the date of enactment of the Uniting and Strengthening America by Providing Appropriate

Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, Pub. L. 107-56, FinCEN was a Departmental Office of the Department of the Treasury. As a result, FinCEN's FOIA procedures were incorporated under Appendix A to 31 CFR part 1, subpart A, and its Privacy Act procedures were incorporated under Appendix A to 31 CFR part 1, subpart C. However, section 361 of the USA Patriot Act created a new Section 310 in Subchapter I of chapter 3 of Title 31, United States Code, making FinCEN a Treasury Bureau. See Treasury Order 180-01, dated September 26, 2002. The FOIA and Privacy Act procedures of bureaus of the Department of the Treasury are set out separately from the procedures of Treasury's Departmental Offices in the Appendices to subparts A and C of 31 CFR part 1. Therefore, this document amends 31 CFR part 1 in order to reflect FinCEN's new status as a Treasury Bureau.

In addition to several conforming changes, this document creates two new appendices. Appendix M, setting forth FinCEN's FOIA procedures, is added to 31 CFR part 1, subpart A. Appendix N, setting forth FinCEN's Privacy Act procedures, is added to 31 CFR part 1, subpart C. The new appendices do not substantively amend the procedures relating to the way in which FinCEN currently handles FOIA and PA obligations as a Treasury Departmental Office. However, the addresses, names and titles of deciding officials have been amended to reflect FinCEN information.

FinCEN's three Privacy Act systems of records, previously named "DO .200—Suspicious Activity Reporting System," and "DO .212—Suspicious Activity Reporting System," and "DO .213—Bank Secrecy Act Reports System," have been re-numbered in order to properly identify the systems. This document removes these systems of records from the table found at 31 CFR 1.36(c)(1), and creates a new table at new section (c)(xii) under the heading "Financial Crimes Enforcement Network." In the new table, these re-numbered systems of records now read: "FinCEN .001—FinCEN Database," "FinCEN .002—Suspicious Activity Reporting System," and "FinCEN .003—Bank Secrecy Act Reports System." The contents of these systems of records remain unchanged.

For the same reasons described above, in the table following paragraph (e) of 31 CFR 1.36, is being amended by removing "Departmental Offices" as the table heading and substituting "Financial Crimes Enforcement Network" and the system number has been changed to "FinCEN .001." Finally, this document removes the

listing of FinCEN's Privacy Act systems of records from the table appearing at 31 CFR 1.36(g)(i) and creates a new table, containing the re-numbered systems of records, at new section (g)(xiii) under the heading "Financial Crimes Enforcement Network." The Privacy Act exemptions previously claimed with respect to the FinCEN systems of records continue to be claimed. The exemptions pertaining to FinCEN.001—FinCEN DataBase, FinCEN .002—Suspicious Activity Reporting System (SARS), and FinCEN .003—Bank Secrecy Act Reports were last published on November 21, 2000, beginning at 65 FR 69865.

These regulations are being published as a final rule because the amendments do not impose any requirements on any member of the public. These amendments are the most efficient means for the Treasury Department to implement its internal requirements for complying with the FOIA and the Privacy Act. Accordingly, pursuant to 5 U.S.C. 553(b)(B) and (d)(3), the Department of the Treasury finds good cause that prior notice and other public procedure with respect to this rule are impracticable and unnecessary and finds good cause for making this rule effective on the date of publication in the **Federal Register**.

In accordance with Executive Order 12866, it has been determined that this final rule is not a "significant regulatory action" and, therefore, does not require a Regulatory Impact Analysis.

The regulation will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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

In accordance with the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Department of the Treasury has determined that this final rule will not impose new recordkeeping, application, reporting, or other types of information collection requirements.

List of Subjects in 31 CFR Part 1

Freedom of Information; Privacy.

■ Part 1 of Title 31 of the Code of Federal Regulations is amended as follows:

PART 1—[AMENDED]

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

Authority: 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also is issued under 5 U.S.C. 552, as amended. Subpart C also is issued under 5 U.S.C. 552a.

Subpart A—Freedom of Information Act

■ 2. Section 1.1 is amended by revising paragraphs (a)(1)(i)(k) and (a)(2) and by adding paragraph (a)(1)(xiii) to read as follows:

§ 1.1 General.

- (a) * * *
- (1) * * *
- (i) * * *

(k) The General Counsel and all offices reporting to such official, including immediate staff; except legal counsel to the components listed in paragraphs (a)(1)(i)(L), and (a)(1)(i)(S), and (a)(1)(ii) through (xiii) of this section;

* * * * *

(xiii) The Financial Crimes Enforcement Network.

(2) For purposes of this subpart, the office of the legal counsel for the components listed in paragraphs (a)(1)(ii) through (xiii) of this section are to be considered a part of their respective bureaus. Any office which is now in existence or may hereafter be established, which is not specifically listed or known to be a component of any of those listed in paragraphs (a)(1)(i) through (xiii) of this section, shall be deemed a part of the Departmental Offices for the purpose of making requests for records under this subpart.

* * * * *

■ 3. Subpart A of 31 CFR part 1 is amended by adding Appendix M:

Appendix M—Financial Crimes Enforcement Network

1. *In general.* This appendix applies to the Financial Crimes Enforcement Network (FinCEN).

2. *Public Reading Room.* FinCEN will provide a room on an ad hoc basis when necessary. Contact Office of Regulatory Programs, FinCEN, (202) 354-6400.

3. *Requests for records.* Initial determinations under 31 CFR 1.5(h) as to whether to grant requests for records of FinCEN will be made by the Freedom of Information Act/Privacy Act Officer, FinCEN. Requests for records may be mailed to: Freedom of Information Act/Privacy Act Request, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

4. *Administrative appeal of initial determinations to deny records.* Appellate determinations under 31 CFR 1.5(i) with

respect to the records of FinCEN will be made by the Director of FinCEN or the delegate of the Director. Appeals should be mailed to: Freedom of Information Appeal, Post Office Box 39, Vienna, VA 22183.

5. *Delivery of process.* Service of process will be received by the Chief Counsel of FinCEN and shall be delivered to: Chief Counsel, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

Subpart C—Privacy Act

- 4. Section 1.20 is amended as follows:
- a. Paragraph (a)(11) is revised.
- b. Paragraph (m) is amended by removing the words “The Office of Thrift Supervision” and adding in their place “The Financial Crimes Enforcement Network.”
- c. The first sentence of the undesignated paragraph is revised.

The revisions to § 1.20 read as follows:

§ 1.20 Purpose and scope of regulations.

* * * * *

(a) * * *
 (11) The General Counsel and all offices reporting to such official, including immediate staff; except legal counsel to the components listed in paragraphs (a)(17) and (b) through (m) of this section;

* * * * *

For purposes of this subpart, the office of the legal counsel for the components listed in paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m) of this section are to be considered a part of such components. * * *

- 7. Section 1.36 is amended as follows:
- a. Paragraph (c)(1)(i) is amended by removing “DO .200—FinCEN Database; DO .212—Suspicious Activity Reporting System (SARS), and DO. 213—Bank Secrecy Act Reports System” from the table.
- b. Paragraph (c)(1)(xiii) is added.
- c. Paragraph (c)(2) is revised.
- d. Paragraph (e)(1) is amended by removing “Departmental Offices” from the table heading and adding in its place “Financial Crimes Enforcement Network.” Paragraph (e)(1) is further amended by removing the entry “DO .200” and adding in its place “FinCEN .001” to the table.
- e. Paragraph (g)(1)(i) is amended by removing “DO .200—FinCEN Database; DO .212—Suspicious Activity Reporting System (SARS), and DO. 213—Bank Secrecy Act Reports System” from the table.
- f. Paragraph (g)(1)(xiii) is added.
- g. Paragraph (g)(2) is revised.
- h. Paragraph (m)(1)(xiii) is added.
- i. Paragraph (m)(2) is revised.

The amendments to § 1.36 read as follows:

§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 522a and this part.

* * * * *

(c) * * *

(1) * * *

(xiii) Financial Crimes Enforcement Network:

Number	Name of System
FinCEN .001	FinCEN DataBase.
FinCEN .002	Suspicious Activity Reporting System.
FinCEN .003	Bank Secrecy Act Reports System.

(2) The Department hereby exempts the systems of records listed in paragraphs (c)(1)(i) through (xiii) of this section from the following provisions of 5 U.S.C. 522a, pursuant to 5 U.S.C. 522a(j)(2): 5 U.S.C. 522a(c)(3) and (4), 5 U.S.C. 522a(d)(1), (2), (3), (4), 5 U.S.C. 522a(e)(1), (2) and (3), 5 U.S.C. 522a(e)(4)(G), (H), and (I), 5 U.S.C. 522a(e)(5) and (8), 5 U.S.C. 522a(f), and 5 U.S.C. 522a(g).

* * * * *

(g) * * *

(1) * * *

(xiii) Financial Crimes Enforcement Network:

Number	Name of System
FinCEN .001	FinCEN Database.
FinCEN .002	Suspicious Activity Reporting System.
FinCEN .003	Bank Secrecy Act Reports System.

(2) The Department hereby exempts the systems of records listed in paragraphs (g)(1)(i) through (xiii) of this section from the following provisions of 5 U.S.C. 522a, pursuant to 5 U.S.C. 522a(k)(2): 5 U.S.C. 522a(c)(3), 5 U.S.C. 522a(d)(1), (2), (3), (4), 5 U.S.C. 522a(e)(1), 5 U.S.C. 522a(e)(4)(G), (H), and (I), and 5 U.S.C. 522a(f).

* * * * *

(m) * * *

(1) * * *

(xiii) Financial Crimes Enforcement Network:

(2) The Department hereby exempts the systems of records listed in paragraph (m)(1)(i) through (xiii) of this section from the following provisions of 5 U.S.C. 522a, pursuant to 5 U.S.C. 522a(k)(5): 5 U.S.C. 522a(c)(3), 5 U.S.C. 522a(d)(1), (2), (3), and (4), 5 U.S.C. 522a(e)(1), 5 U.S.C. 522a(e)(4)(G), (H), and (I), and 5 U.S.C. 522a(f).

* * * * *

- 7a. Subpart C of 31 CFR part 1 is amended by adding Appendix N:

Appendix N—Financial Crimes Enforcement Network

1. *In general.* This appendix applies to the Financial Crimes Enforcement Network (FinCEN). It sets forth specific notification and access procedures with respect to particular systems of records, and identifies the officers designated to make the initial determinations with respect to notification and access to records and accountings of disclosures of records. This appendix also sets forth the specific procedures for requesting amendment of records and identifies the officers designated to make the initial and appellate determinations with respect to requests for amendment of records. It identifies the officers designated to grant extensions of time on appeal, the officers with whom “Statements of Disagreement” may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals, and service of process. In addition, it references the notice of systems of records and notices of the routine uses of the information in the system required by 5 U.S.C. 522a(4) and (11) and published biennially by the Office of the Federal Register in “Privacy Act Issuances.”

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR 1.26, whether to grant requests for notification and access to records and accountings of disclosures for FinCEN will be made by the Freedom of Information/Privacy Act officer, FinCEN. Requests may be mailed to: Privacy Act Request, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

3. *Requests for amendments of records.* Initial determinations under 31 CFR 1.27(a) through (d) whether to grant requests to amend records maintained by FinCEN will be made by the Freedom of Information/Privacy Act officer, FinCEN. Requests may be mailed to: Privacy Act Request, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

4. *Verification of Identity.* An individual seeking notification or access to records, or seeking to amend a record, or seeking an accounting of disclosures, must satisfy one of the following identification requirements before action will be taken by FinCEN on any such request:

- (i) An individual may establish identity through the mail by a signature, address, and one other identifier such as a photocopy of a driver’s license or other official document bearing the individual’s signature.
- (ii) Notwithstanding this paragraph (4)(i), an individual may establish identity by providing a notarized statement, swearing or affirming to such individual’s identity and to the fact that the individual understands the penalties provided in 5 U.S.C. 522a(i)(3) for requesting or obtaining access to records under false pretenses.
- (iii) Notwithstanding this paragraph (4)(i) and (ii), the Freedom of Information Act/ Privacy Act Officer or other designated official may require additional proof of an

individual's identity before action will be taken on any request, if such official determines that it is necessary to protect against unauthorized disclosure of information in a particular case. In addition, a parent of any minor or a legal guardian of any individual will be required to provide adequate proof of legal relationship before such person may act on behalf of such minor or such individual.

5. *Administrative appeal of initial determinations refusing amendment of records.* Appellate determinations refusing amendment of records under 31 CFR 1.27(e) including extensions of time on appeal with respect to the records of FinCEN will be made by the Director of FinCEN or the delegate of the Director. Appeals should be addressed to: Privacy Act Amendment Appeal, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

6. *Statements of Disagreement.* "Statements of Disagreement" as described in 31 CFR 1.27(e)(4) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

7. *Service of Process.* Service of process will be received by the Chief Counsel of FinCEN and shall be delivered to the following location: Office of Chief Counsel, Financial Crimes Enforcement Network, Post Office Box 39, Vienna, VA 22183.

8. *Biennial notice of systems of records.* The biennial notice of systems of records is published by the Office of the Federal Register, as specified in 5 U.S.C. 552a(f). The publication is entitled "Privacy Act Issuances." Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR 1.26 and 1.27 and paragraph 4 of this appendix are indicated in the notice for the pertinent system.

Dated: September 8, 2003.

W. Earl Wright, Jr.,

Acting Chief Management and Administrative Programs Officer.

[FR Doc. 03-24227 Filed 9-24-03; 8:45 am]

BILLING CODE 4810-02-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[COTP San Francisco Bay 03-003]

RIN 1625-AA00

Security Zones; San Francisco Bay, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule; change in effective period.

SUMMARY: The Coast Guard is revising the effective period of the temporary

security zones extending 25 yards in the U.S. navigable waters around all piers, abutments, fenders and pilings of the Golden Gate Bridge and the San Francisco-Oakland Bay Bridge, San Francisco Bay, California. These security zones are needed for national security reasons to protect the public and ports from potential subversive acts. Entry into these security zones is prohibited, unless doing so is necessary for safe navigation, to conduct official business such as scheduled maintenance or retrofit operations, or unless specifically authorized by the Captain of the Port San Francisco Bay, or his designated representative.

DATES: The amendment to 33 CFR 165.T11-078(f) in this rule is effective September 30, 2003. Section 165.T11-078, added at 68 FR 13230, March 19, 2003, effective from 11 a.m. PST on February 13, 2003, to 11:59 p.m. PDT on September 30, 2003, as amended in this rule, is extended in effect to 11:59 p.m. PST on March 31, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket [COTP San Francisco Bay 03-003] and are available for inspection or copying at Coast Guard Marine Safety Office San Francisco Bay, Coast Guard Island, Alameda, California, 94501, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Doug Ebbers, Waterways Branch U.S. Coast Guard Marine Safety Office San Francisco Bay, at (510) 437-3073.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On March 19, 2003, we published a temporary final rule (TFR) for the Golden Gate and San Francisco-Oakland Bay bridges entitled "Security Zones; San Francisco Bay, CA" in the **Federal Register** (68 FR 13228) under 33 CFR 165.T11-078. It has been in effect since February 13, 2003, and is set to expire 11:59 p.m. PDT on September 30, 2003.

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. In addition, 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**, for the following reasons. The threat of maritime attacks is real as evidenced by the October 2002 attack of a tank vessel off the coast of Yemen and the continuing threat to U.S. assets as described in the President's finding,

found at Executive Order 13273 of August 21, 2002 (67 FR 56215, September 3, 2002) that the security of the U.S. is endangered as evidenced by the September, 11, 2001 attacks and that such disturbances continue to endanger the international relations of the United States. See also Continuation of the National Emergency with Respect to Certain Terrorist Attacks, (67 FR 58317, September 13, 2002); Continuation of the National Emergency With Respect To Persons Who Commit, Threaten To Commit, Or Support Terrorism, (67 FR 59447, September 20, 2002). Additionally, a Maritime Advisory was issued to: Operators of U.S. Flag and Effective U.S. controlled Vessels and other Maritime Interests, detailing the current threat of attack, MARAD 02-07 (October 10, 2002). Consequently, a heightened level of security has been established around all high visibility targets in San Francisco Bay and Delta ports. The measures contemplated by this rule are intended to prevent future terrorist attacks against individuals and facilities on or adjacent to the Golden Gate or San Francisco-Oakland Bay bridges. Any delay in the effective date of this TFR is impractical and contrary to the public interest.

The original temporary final rule was urgently required to prevent possible terrorist strikes against the United States and more specifically the people, waterways, and properties on and near the Golden Gate or San Francisco-Oakland Bay bridges. It was anticipated that we would assess the security environment at the end of the enforcement period to determine whether continuing security precautions were required and, if so, propose regulations responsive to existing conditions. We have determined that the need for continued security regulations exists.

The measures contemplated by this extension to the original temporary final rule are intended to facilitate ongoing response efforts and prevent future terrorist attack. The Coast Guard will utilize the extended enforcement period created by this TFR to confer with the bridge owners to determine if permanent fixed security zones around all piers, abutments, fenders and pilings of the Golden Gate Bridge and the San Francisco-Oakland Bay Bridge are appropriate. If a threat assessment confirms the need for permanent zones, we will publish a notice of proposed rulemaking (NPRM) that will allow for a public comment period and develop permanent regulations tailored to the present and foreseeable security environment with the Captain of the Port (COTP) San Francisco Bay. This