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[FR Doc. 05-6199 Filed 3-28-05; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****43 CFR Part 423****RIN 1006-AA49****Public Conduct on Reclamation Lands and Projects; Extension of Expiration Date****AGENCY:** Bureau of Reclamation, Interior.**ACTION:** Final rule.

SUMMARY: In 2002 the Bureau of Reclamation published a final rule governing public conduct on Bureau of Reclamation Lands (the 2002 rule). The 2002 rule will expire on April 17, 2005. We are developing a new rule to replace the 2002 rule, but the new rule will not be finalized by April 17. This rule extends the effective date of the 2002 rule to allow us time to develop and publish the new rule.

DATES: The extension of the expiration date of 43 CFR part 423, Public Conduct on Bureau of Reclamation Lands and Projects, from April 17, 2005, to April 17, 2006, is effective on March 29, 2005.

ADDRESSES: Address any questions concerning this rule to Larry Todd, Director, Security, Safety, and Law Enforcement, Bureau of Reclamation, 6th and Kipling, Building 67, P.O. Box 25007, Denver, Co. 80225.

FOR FURTHER INFORMATION CONTACT: Gary Anderson, (303) 445-2891.

SUPPLEMENTARY INFORMATION:**I. Background**

On September 11, 2001, terrorists launched attacks on targets within the United States. Following the terrorist attacks, on November 12, 2001, Congress enacted Public Law 107-69 (now codified at 43 U.S.C. 373b and 373c), to provide law enforcement authority within Reclamation projects and on Reclamation lands. Section 1(a) of Public Law 107-69 requires Reclamation to "issue regulations necessary to maintain law and order and protect persons and property within Reclamation projects and on Reclamation lands." Pursuant to that statutory requirement, Reclamation issued a final rule, 43 CFR Part 423, Public Conduct on Reclamation Lands and Projects, on April 17, 2002 (now

codified at 43 CFR 423.1-10). That rule's preamble set the rule to expire on April 17, 2003, based on Reclamation's intent to develop a more comprehensive public conduct rule by that date. On April 3, 2003, Reclamation extended that expiration date to April 17, 2005.

A more comprehensive rule is currently under development, but additional time is needed to complete that rulemaking. In order to avoid a time period during which no rule is in place addressing public conduct on our lands and facilities, Reclamation has decided to extend the expiration date of the existing rule from April 17, 2005, to April 17, 2006.

II. Procedural Requirements*A. Determination To Issue Final Rule Without Notice and Comment*

The Administrative Procedure Act (APA) generally requires agencies to provide advance notice and an opportunity to comment on agency rulemakings. However, the APA allows an agency to promulgate rules without notice and comment when an agency, for good cause, finds that notice and public comment are "impracticable, unnecessary, or contrary to the public interest." (5 U.S.C. 553(b)(3)(B)). To the extent that 5 U.S.C. 553 applies to the rule, good cause exists to exempt this rulemaking from advance notice and comment.

Allowing a period for advance notice could result in the expiration of the existing rule before this rule, which extends the expiration date, goes into effect. A period without a rule in place addressing public conduct on Reclamation lands and projects would result in a serious disruption in the protection of Reclamation facilities and property, with accompanying confusion to employees and the public. Such disruption and confusion would be contrary to public and national security interests.

We expect to issue a comprehensive rule that would supersede the existing rule in the near future. Establishing a public comment period for the extension of the existing rule's expiration date is likely to create significant public confusion in that such a comment period might closely coincide with the comment period on the proposed comprehensive rule.

Finally, the existing rule which was issued on April 17, 2002, generated virtually no public reaction. Despite our request for comments on the rule, we received only one nonsubstantive comment. Therefore, it is not reasonable to expect that mere extension of the

rule's expiration date would result in substantive comments from the public.

For the foregoing reasons, we conclude it is impracticable, unnecessary, and contrary to the public interest to request public comment on this rule.

B. Determination To Make Rule Effective Immediately

A period without a rule in place addressing public conduct on Reclamation lands and projects would result in a serious disruption in the protection of Reclamation facilities and property, with accompanying confusion to employees and the public. This disruption and confusion would be contrary to public and national security interests. For these reasons, the Bureau of Reclamation has determined it appropriate to waive the requirement of publication 30 days in advance of the effective date. As allowed by 5 U.S.C. 553(d)(3), this rule is effective immediately because it is in the public interest not to delay implementation of this amendment.

C. Review Under Procedural Statutes and Executive Orders

We have reviewed this final rule under the following statutes and executive orders governing rulemaking procedures: The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 *et seq.*; the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*; the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801 *et seq.*; the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*; the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*; Executive Order 12630 (Takings); Executive Order 12866 (Regulatory Planning and Review); Executive Order 12988 (Civil Justice Reform); Executive Order 13132 (Federalism); Executive Order 13175 (Tribal Consultation); and Executive Order 13211 (Energy Impacts). We have determined that this rule does not trigger any of the procedural requirements of those statutes and executive orders because it merely extends the expiration date of the existing rule.

List of Subjects in 43 CFR Part 423

Law enforcement, Penalties, Public lands.

For the reasons set forth in the preamble, the Bureau of Reclamation extends the expiration date of 43 CFR part 423 from April 17, 2005, to April 17, 2006.

Dated: February 25, 2005.

R. Thomas Weimer,

Acting Assistant Secretary—Water and Science.

[FR Doc. 05–6190 Filed 3–28–05; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Part 401

[USCG–2002–11288]

RIN 1625–AA38 [Formerly RIN 2115–AG30]

Rates for Pilotage on the Great Lakes

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Interim rule; correction.

SUMMARY: This document contains corrections to the interim rule published in the *Federal Register* on March 10, 2005. The interim rule establishes new rates for pilotage on the Great Lakes.

DATES: Effective on March 29, 2005.

FOR FURTHER INFORMATION CONTACT: For questions on this correction document, call or e-mail Paul Wasserman, Director, Office of Great Lakes Pilotage (G–MW–1), U.S. Coast Guard, at telephone 202–267–2856, or pwasserman@comdt.uscg.mil.

SUPPLEMENTARY INFORMATION:

Need for Correction

The interim rule, as published, contained incorrect column headings in two tables and an incorrect date. These errors could confuse the reader and need to be corrected.

Correction of Publication

■ Accordingly, the publication on March 10, 2005, of the interim rule [USCG–2002–11288], FR Doc. 05–4586, is corrected as follows:

■ 1. On page 12097, in the table entitled “District Three—Projected Rate of Return on Investment”, change the column heading “Total district” to read “Total district three”.

■ 2. On page 12098, in the table entitled “District Three—Adjustment Determination”, change the column heading “Total district” to read “Total district three”.

■ 3. On page 12100, in column one, in line 16 under “Regulatory Evaluation”, change the words “March 1, 2005” to read “April 11, 2005”.

Dated: March 21, 2005.

S.G. Venckus,

Chief, Regulations and Administrative Law, United States Coast Guard, DHS.

[FR Doc. 05–6139 Filed 3–28–05; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

48 CFR Part 501

[GSAR Amendment 2005–01; GSAR Case 2004–G508 (Change 14)]

RIN 3090–AI07

General Services Administration Acquisition Regulation; Deviations

AGENCIES: General Services Administration (GSA), Office of the Chief Acquisition Officer.

ACTION: Final rule.

SUMMARY: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) by issuing a final rule to modify existing policy on obtaining deviations from both the Federal Acquisition Regulation (FAR) and GSAR. This final rule will include revised procedures for obtaining deviations and will clarify the term “class deviation,” and add clarification regarding the term “contract action”.

DATES: *Effective Date:* March 29, 2005.
FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC, 20405, (202) 501–4755, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Ernest Woodson, Procurement Analyst, at (202) 501–3775. Please cite Amendment 2005–01, GSAR case 2004–G508 (Change 14).

SUPPLEMENTARY INFORMATION:

A. Background

The FAR prescribes policies and procedures for authorizing deviations from the FAR when necessary to meet the specific needs and requirements of an agency unless precluded by law, executive order, or regulation. FAR 1.402 provides that the development and testing of new techniques and methods of acquisition should not be stifled simply because such actions would require a FAR deviation. However, deviations to the FAR and the GSAR have raised questions indicating the need to increase the involvement of the Office of the Chief Acquisition Officer. Therefore, this final rule modifies GSAR 501.403 and 501.404 to include revised procedures for obtaining

deviations and clarify the term “class deviation,” and adds GSAR 501.404–70 to clarify the term “contract action.”

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule. This final rule does not constitute a significant FAR revision within the meaning of FAR 1.501 and Public Law 98–577, and publication for public comments is not required. However, GSA will consider comments from small entities concerning the affected GSAR Subpart 501.4 in accordance with 5 USC. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 601, et. seq. (GSAR case 2004–G508), in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the GSAR do not impose recordkeeping or information collection requirements, or otherwise collect information from offerors, contractors, or members of the public that require approval of the Office of Management and Budget under 44 U.S.C.3501, et seq.

List of Subjects in 48 CFR Part 501

Government procurement.

Dated: March 22, 2005.

David A. Drabkin,

Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration.

■ Therefore, GSA amends 48 CFR part 501 as set forth below:

PART 501—GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION SYSTEM

■ 1. The authority citation for 48 CFR part 501 is revised to read as follows:

Authority: 40 U.S.C. 121(c).

■ 2. Amend section 501.403 by revising paragraphs (a) and (c) to read as follows:

501.403 Individual deviations.

(a) An individual deviation affects only one contract action.

(1) The Head of the Contracting Activity (HCA) must approve an individual deviation to the FAR. The authority to grant an individual deviation may not be re-delegated. A copy of the deviation must be provided to GSA’s Senior Procurement Executive (SPE).