

with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves regulations establishing,

disestablishing, or changing Regulated Navigation Areas and security or safety zones. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR 165

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

For the reasons discussed in the preamble, the Coast Guard adopts the interim rule amending 33 CFR part 165 that was published at 75 FR 65235 on October 22, 2010, as a final rule with the following changes:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation to part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

#### § 165.819 [Amended]

- 2. In § 165.819—
  - a. Amend paragraph (a)(1)(i) by inserting the words “mooring basin” immediately before the word “waters”, and
  - b. Amend paragraph (a)(1)(ii) by inserting the words “mooring basin” immediately before the word “waters”.

Dated: November 22, 2010.

**J.J. Plunkett,**

*Captain, U.S. Coast Guard, Captain of the Port, Port Arthur.*

[FR Doc. 2011-172 Filed 1-10-11; 8:45 am]

**BILLING CODE 9110-04-P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2010-0423]

RIN 1625-AA87

#### Security Zone: Fleet Industrial Supply Center Pier, San Diego, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing a security zone on the navigable waters of San Diego Bay, San Diego, CA. The existing zone is around the former Fleet Industrial Supply Center Pier. The pier

is no longer owned by the U.S. Navy and the existing security zone is no longer necessary to provide for the security of the U.S. Naval vessels, their crews, and the public from sabotage or other subversive acts, accidents, criminal actions, or other causes of a similar nature.

**DATES:** This rule is effective February 10, 2011.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2010-0423 and are available online by going to <http://www.regulations.gov>, inserting USCG-2010-0423 in the “Keyword” box, and then clicking “Search.” They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Commander Mike Dolan, Waterways Management, U.S. Coast Guard Sector San Diego; telephone 619-278-7261, e-mail [Michael.b.dolan@uscg.mil](mailto:Michael.b.dolan@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

#### Regulatory Information

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM). It is unnecessary to seek comments on this rulemaking because the purpose of this security zone—to provide for the security of the U.S. Naval vessels, their crews, and the public from sabotage or other subversive acts, accidents, criminal actions, or other causes of a similar nature—no longer exists because the Navy no longer owns this facility.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective 30 days after publication in the **Federal Register**. The pier is no longer owned by the U.S.

Navy and the existing security zone is no longer necessary.

### **Basis and Purpose**

The Coast Guard is removing a security zone on the navigable waters of the San Diego Bay, San Diego, CA. The existing security zone is around the former Fleet Industrial Supply Center Pier. The security zone encompasses all navigable waters within 100 feet of the former Fleet Industrial Supply Center Pier. The pier is no longer owned by the U.S. Navy and the security zone is no longer needed to protect U.S. Naval vessels, their crews, and the public from sabotage or other subversive acts, accidents, criminal actions or other causes of a similar nature.

### **Discussion of Rule**

The Coast Guard is removing a security zone. The current limits of the security zone include all navigable waters within 100 feet of the former Fleet Industrial Supply Center Pier enclosed by lines connecting the following points: 32°42'50" N, 117°10'25" W; 32°42'50" N, 117°10'38" W; 32°42'54" N, 117°10'38" W; 32°42'54" N, 117°10'25" W. The security zone is no longer necessary to protect U.S. Naval vessels, their crews, and the public from sabotage or other subversive acts, accidents, criminal actions, or other causes of a similar nature.

### **Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

#### *Regulatory Planning and Review*

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, 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 it under that Order. The entities most likely to be affected are pleasure craft engaged in recreational activities and sightseeing. As such, the Coast Guard expects the economic impact of this rule to be minimal.

#### *Small Entities*

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have 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 rule will affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit or anchor in a portion of the San Diego Bay. The removal of this security zone will not have a significant economic impact on a substantial number of small entities for the following reason. Removing the security zone will allow the public to access an area of the waterway that is currently restricted.

#### *Assistance for Small Entities*

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

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). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### *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*

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

#### *Unfunded Mandates Reform Act*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### *Taking of Private Property*

This rule will not cause 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 create an environmental risk to health or risk to safety that may disproportionately affect children.

#### *Indian Tribal Governments*

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### *Energy Effects*

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not

require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g.), of the Instruction. This rule involves the removal of a security zone.

An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under

#### ADDRESSES.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, 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. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

#### § 165.1121 [Removed and Reserved]

■ 2. Remove and reserve § 165.1121.

Dated: December 29, 2010.

**P.J. Hill,**

*Commander, U.S. Coast Guard, Acting Captain of the Port San Diego.*

[FR Doc. 2011-309 Filed 1-10-11; 8:45 am]

**BILLING CODE 9110-04-P**

### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

#### 36 CFR Part 1200

[NARA-10-0006]

RIN 3095-AB70

#### New Agency Logos

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Direct final rule.

**SUMMARY:** NARA is adding four new official logos. One is the new agency-wide official logo for use on agency correspondence and other communications and publicity media. The other three logos are for new offices within NARA—the Office of Government Information Services (OGIS), the Controlled Unclassified Information Office (CUI), and the National Declassification Center (NDC).

**DATES:** Effective January 11, 2011 without further action, unless adverse comment is received by February 10, 2011. If adverse comment is received, NARA will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** Adverse comments may be submitted by the deadline. Please include “RIN 3095-AB70,” “Attn: Kimberly Keravuori,” and your name and mailing address in your comments. Comments may be submitted by any of the following methods:

- **Federal eRulemaking Portal:** Go to: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Fax:** Submit comments by facsimile transmission to 301-837-0319.
- **Mail:** Send comments to Regulations Comments Desk (NPOL), Room 4100, National Archives and Records Administration; Policy and Planning Office; Attn: Kimberly Keravuori; 8601 Adelphi Road; College Park, MD 20740.

- **Hand Delivery or Courier:** Deliver comments to 8601 Adelphi Road, College Park, MD.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Keravuori at 301-837-3151.

**SUPPLEMENTARY INFORMATION:** For the purposes of agency recognition and

branding, and in compliance with the Office of Management and Budget’s Memorandum 10-23, Guidance for Agency Use of Third-Party Web sites and Applications, and the agency’s Open Government initiatives, the Archivist has designated a NARA-wide official agency logo. This logo is for use on agency letterhead, all agency social media sites, and other agency communications or publicity media as a consistent branding image for agency recognition. The logo does not replace NARA’s official seals.

The second logo is for the Office of Government Information Services (OGIS). The OPEN Government Act of 2007 amended the Freedom of Information Act, or FOIA (5 U.S.C. 552) to create the OGIS within NARA. As part of its statutory duties as ombudsman of the Federal FOIA program, OGIS has developed an office logo for instant recognition of OGIS and its programs and services across the Federal government and amongst FOIA requesters.

The third logo is for the Controlled Unclassified Information (CUI) Office. The Archivist of the United States’ Memorandum, dated May 21, 2008, established the CUI Office within NARA and its purpose is to develop and implement policy standards for CUI, guided by Presidential direction. The CUI logo is a symbol of NARA’s policy office for CUI and has been designed to convey recognition of the standardization of CUI policy across the Federal government.

The fourth logo is for the National Declassification Center (NDC). The NDC was established in accordance with Section 3.7 of Executive Order 13526, by the Archivist of the United States on December 30, 2009. Its mission is to align people, processes, and technologies to advance the declassification and public release of historically valuable permanent records while maintaining national security. The NDC logo is being adopted to provide a recognizable, standard brand for the NDC and its activities.

Permission is required for the replication or use of these logos.

This rule is effective upon publication for good cause as permitted by the Administrative Procedure Act (5 U.S.C. 553(d)(3)). NARA believes that delaying the effective date for 30 days is unnecessary as this rule represents minor technical amendments and there are no changes to the public’s ability to utilize its logos or of services to the public. In addition, the public will benefit immediately from recognition of NARA’s new official logo when it appears on documents.