

**List of Subjects in 25 CFR Part 169**

Indians—lands, Reporting and recordkeeping requirements, Rights-of-way.

For the reasons stated in the preamble, the Department of the Interior, Bureau of Indian Affairs, amends 25 CFR part 169 as follows:

**PART 169—RIGHTS-OF-WAY OVER INDIAN LAND**

■ 1. The authority citation for part 169 continues to read as follows:

**Authority:** 5 U.S.C. 301; 25 U.S.C. 323–328; 25 U.S.C. 2201 *et seq.*

■ 2. Amend § 169.103 by adding paragraph (k) to read as follows:

**§ 169.103 What bonds, insurance, or other security must accompany the application?**

\* \* \* \* \*

(k) The requirements of this section do not apply to Federal, State, Tribal, or local governments who are prohibited by law from providing a bond, insurance, or other security. Federal, State, Tribal, or local governments seeking this exemption must include with their application a certification, including a citation to applicable law, that they are prohibited by law from providing security. Federal, State, Tribal, or local governments must also notify landowners that they are prohibited by law from providing security when they notify the Indian landowners of their application under § 169.107.

Dated: April 26, 2019.

**Tara Sweeney,**

*Assistant Secretary—Indian Affairs.*

**Editorial note:** This document was received for publication by the Office of the Federal Register on August 14, 2019.

[FR Doc. 2019–17781 Filed 8–16–19; 8:45 am]

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**DEPARTMENT OF DEFENSE****Office of the Secretary****32 CFR Part 165**

[Docket ID: DOD–2018–OS–0088]

**RIN 0790–AK24**

**Recoupment of Nonrecurring Costs (NCs) on Sales of U.S. Items**

**AGENCY:** Office of the Under Secretary of Defense (Comptroller), DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Department of Defense (DoD) regulation

that paraphrases existing authorities under the Arms Export Control Act and describes internal procedures for calculating and assessing nonrecurring cost (NC) recoupments, for granting foreign government NC waiver requests, for the types of foreign military sales agreements covered, and for the offices authorized to waive NC recoupment. The corresponding internal procedures will continue to be made publicly available online.

**DATES:** This rule is effective on August 19, 2019.

**FOR FURTHER INFORMATION CONTACT:** Kellie Allison at 703–614–0410.

**SUPPLEMENTARY INFORMATION:** This removal supports a recommendation from the DoD Regulatory Reform Task Force. This rule was codified on May 24, 2013 (78 FR 31400), and it was never updated. It has been determined that publication of this CFR part removal for public comment is unnecessary since it is based on removing DoD internal procedures and information which paraphrases law. DoD internal guidance on the recoupment of NCs under the Arms Export Control Act, Public Law 90–629, as amended, will continue to be published in DoD's Financial Management Regulation, Volume 15, Chapter 7 (updated in November 2018), available at [https://comptroller.defense.gov/Portals/45/documents/fmr/current/15/15\\_07.pdf](https://comptroller.defense.gov/Portals/45/documents/fmr/current/15/15_07.pdf).

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review.” Therefore the requirements of Executive Order 13771, “Reducing Regulation and Controlling Regulatory Costs,” do not apply.

**List of Subjects in 32 CFR Part 165**

Calculating, Assessing, Waiver requests, Agreements, Authorities and pricing guidelines.

**PART 165—[REMOVED]**

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 165 is removed.

Dated: August 14, 2019.

**Aaron T. Siegel,**

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

[FR Doc. 2019–17757 Filed 8–16–19; 8:45 am]

**BILLING CODE 5001–06–P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****32 CFR Part 268**

[Docket ID: DOD–2018–OS–0063]

**RIN 0790–AK21**

**Collecting and Reporting of Foreign Indebtedness Within the Department of Defense**

**AGENCY:** Office of the Under Secretary of Defense (Comptroller), DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Department of Defense (DoD) regulation that relates to the collecting and reporting of foreign indebtedness because it contains DoD's internal guidelines on identifying, billing, collecting, and managing foreign arrearages and indebtedness. These guidelines are internal and provide performance and reporting requirements to the Defense Finance and Accounting Service, the Defense Security Cooperation Agency, and the DoD Components. Therefore, this CFR part can be removed.

**DATES:** This rule is effective on August 19, 2019.

**FOR FURTHER INFORMATION CONTACT:** Kellie Allison at 703–614–0410.

**SUPPLEMENTARY INFORMATION:** It has been determined that publication of the removal of this CFR part, codified on March 17, 1978 (43 FR 11196), for public comment is unnecessary because it is based on removing internal policies and procedures that will remain publicly available on the Department's website. DoD internal guidance will continue to be published in DoD's Financial Management Regulation, Volume 16, Chapter 6 (most recently updated in August 2018), “Debt Owed to the Department of Defense (DoD) by Foreign Entities,” available at [https://comptroller.defense.gov/Portals/45/documents/fmr/current/16/16\\_06.pdf](https://comptroller.defense.gov/Portals/45/documents/fmr/current/16/16_06.pdf).

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review,” therefore the requirements of Executive Order 13771, “Reducing Regulation and Controlling Regulatory Costs,” do not apply.

This removal supports a recommendation from the DoD Regulatory Reform Task Force.

**List of Subjects in 32 CFR Part 268**

Accounting, Armed forces, Claims, Foreign claims, Reporting and recordkeeping requirements.

**PART 268—[REMOVED]**

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 268 is removed.

Dated: August 14, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

[FR Doc. 2019-17773 Filed 8-16-19; 8:45 am]

BILLING CODE 5001-06-P

**DEPARTMENT OF HOMELAND  
SECURITY****Coast Guard****33 CFR Part 100**

[Docket No. USCG-2019-0543]

**Special Local Regulations; Marine  
Events Within the Fifth Coast Guard  
District**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of  
regulation.

**SUMMARY:** The Coast Guard will enforce the special local regulation for the Thunder Over the Boardwalk Air Show on August 20 and August 21, 2019, from 10:30 a.m. through 4:30 p.m., to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Fifth Coast Guard District identifies the regulated area for this event in Atlantic City, NJ. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

**DATES:** The regulation in 33 CFR 100.501 for the special local regulation listed in item (a)(8) in the table to § 100.501 will be enforced from 10:30 a.m. through 4:30 p.m. on each of the following dates: August 20, 2019, and August 21, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, you may call or email Petty Officer Thomas Welker, U.S. Coast Guard, Sector Delaware Bay, Waterways Management Division, telephone 215-271-4814, email [Thomas.J.Welker@uscg.mil](mailto:Thomas.J.Welker@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the special regulations as described in section (a), row (8) of the table to in 33 CFR 100.501 for the Thunder Over the Boardwalk Air Show from 10:30 a.m. to 4:30 p.m. on August 20 and August 21, 2019. The published enforcement periods for this

event include the 3rd Tuesday and Wednesday in August. Because an additional air show practice over these same waters is scheduled for Monday, August 19, 2019, and poses similar hazards to safety of life, we are also issuing a separate special local regulation from 10:30 a.m. to 4:30 p.m. on that day as well. For more information on that rulemaking, go to <https://www.regulations.gov>, type USCG-2019-0644 in the “Search” box and click “Search.” These actions are being taken to provide for the safety of life on navigable waterways during this 3-day event. Our regulation for marine events within the Fifth Coast Guard District, table to § 100.501, section (a), row (8), specifies the location of the regulated area as all waters of the North Atlantic Ocean, adjacent to Atlantic City, New Jersey, bounded by a line drawn between the following points: From a point along the shoreline at latitude 39°21′31″ N, longitude 074°25′04″ W, thence southeasterly to latitude 39°21′08″ N, longitude 074°24′48″ W, thence southwesterly to latitude 39°20′16″ N, longitude 074°27′17″ W, thence northwesterly to a point along the shoreline at latitude 39°20′44″ N, longitude 074°27′31″ W, thence northeasterly along the shoreline to latitude 39°21′31″ N, longitude 074°25′04″ W.

During the enforcement periods, as reflected in § 100.100(c), if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

In add addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide notification of the enforcement periods via broadcast notice to mariners.

Dated: August 13, 2019.

Scott E. Anderson,

Captain, U.S. Coast Guard, Captain of the Port, Delaware Bay.

[FR Doc. 2019-17740 Filed 8-16-19; 8:45 am]

BILLING CODE 9110-04-P

**DEPARTMENT OF HOMELAND  
SECURITY****Coast Guard****33 CFR Part 165**

[Docket Number USCG-2019-0238]

RIN 1625-AA00

**Safety Zone; Delaware River; Baker  
Range, DE and NJ**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing two temporary moving safety zones in the Baker Range portion of the Delaware River. This action is necessary to provide for the safety of life and navigation on this portion of the Delaware River during submarine power cable laying operations. This regulation prohibits persons and vessels from entering or transiting through the safety zone without prior authorization from the Captain of the Port Delaware Bay or a designated representative.

**DATES:** This rule is effective from August 19, 2019 through December 31, 2019.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2019-0238 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Petty Officer Edmund Ofalt, U.S. Coast Guard, Sector Delaware Bay, Waterways Management Division; telephone (215) 271-4814, email [Edmund.J.Ofalt@uscg.mil](mailto:Edmund.J.Ofalt@uscg.mil).

**SUPPLEMENTARY INFORMATION:****I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

**II. Background Information and  
Regulatory History**

On October 2, 2018, the Harlan Electric Company notified the Coast Guard of construction activities in the Delaware River involving submerged cable laying operations. The submerged cable laying operation was originally scheduled to begin on July 1, 2019, and continue through September 20, 2019. In response to the notification, on May 3, 2019, the Coast Guard published a notice of proposed rulemaking (NPRM) that proposed a moving safety zone around the cable laying operations in the Baker Range portion of the Delaware River (84 FR 19003, May 3, 2019). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to this cable laying project. During the comment period that ended June 3, 2019, we received one supportive comment.

On July 29, 2019, Harlan Electric Company notified the Coast Guard of its updated intentions to conduct cable