

to end prior to the existing rule's expiration date, the effective result would be identical to having the expiration date removed immediately. Because an immediate effective date will sustain security, reduce the opportunity for legal and public confusion, and have no negative consequences, good cause exists for making this rule effective immediately as allowed by 5 U.S.C. 553(d)(3).

B. 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). Since this rule merely extends the expiration date of the existing 43 CFR part 423, the information in the compliance statements that we published on April 17, 2002, with the existing rule continue to apply.

List of Subjects in 43 CFR part 423

Dams, Security measures, Irrigation.

Dated: March 27, 2003.

R. Thomas Weimer,

Deputy Assistant Secretary, Water and Science.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

RIN 9991-AA35

[OST Docket No. OST-1999-6189]

Organization and Delegation of Powers and Duties; Delegation to the Administrator, Maritime Administration

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Secretary of Transportation (Secretary) delegates to the Maritime Administrator the

authority to implement section 109 of the Maritime Transportation Security Act of 2002, which requires the Secretary, not later than 6 months after the date of enactment, to develop standards and curriculum to allow for the training and certification of maritime security professionals. Training opportunities provided under section 109 may be available to any Federal, State, local, and private law enforcement or maritime security personnel in the United States or to personnel employed in foreign ports used by a vessel with United States citizens as passengers or crewmembers. An annual report is to be submitted to the Senate Committee on Commerce, Science and Transportation, and the House of Representatives Committee on Transportation and Infrastructure on the expenditure of appropriated funds and the training under this section. The Maritime Administrator may further redelegate this authority.

EFFECTIVE DATE: This rule is effective on April 3, 2003.

FOR FURTHER INFORMATION CONTACT: Christine Gurland, Office of the Chief Counsel, MAR-225, (202) 366-5724, Department of Transportation, Maritime Administration, 400 Seventh Street, SW., Washington, DC 20590. Linda Lasley, Office of the General Counsel, (202) 366-9314, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

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Background

The Secretary is delegating to the Maritime Administrator the authority under section 109 of the Maritime Transportation Security Act of 2002, Public Law 107-295, 116 Stat. 2064, at 2090 to develop standards and

curriculum to allow for the training and certification of maritime security professionals. The Maritime Administration (MARAD) has the expertise and staff to develop and implement a program for the training and certification of maritime security professionals within its area of responsibility and to make funding decisions in accordance with the statutory requirements. The standards for training and certification established shall include training and certification of maritime security professionals in accordance with accepted law enforcement and security guidelines, policies, and procedures; training of students and instructors in all aspects of prevention, detection, investigation, and reporting of criminal activities in the international maritime environment; and the provision of off-site training and certification courses and certified personnel at United States and foreign ports used by U. S.-flagged vessels, or by foreign-flagged vessels with U.S. citizens as passengers or crew members, to develop and enhance security awareness and practices. MARAD may make the training opportunities provided under this section available to any Federal, State, local, and private law enforcement or maritime security personnel in the United States or to personnel employed in foreign ports used by vessels with United States citizens as passengers or crewmembers.

Since this amendment relates to Departmental organization, procedure, and practice, notice and comment on it are unnecessary under 5 U.S.C. 553(b). Efficient execution of section 109 is instrumental to the timely development and implementation of training for maritime security professionals. Thus, the Secretary finds good cause under 5 U.S.C. 553(d)(3) for this final rule to be effective on the date of publication in the **Federal Register**.

Regulatory Evaluation

Regulatory Assessment

This rulemaking is a non-significant regulatory action under section 3(f) of Executive Order 12866 and has not been reviewed by the Office of Management and Budget under that Order. This rule is also not significant under the regulatory policies and procedures of the Department of Transportation, 44 FR 11034.

This rule does not impose unfunded mandates or requirements that will have any impact on the quality of the human environment.