

that it will not have a significant economic impact upon a substantial number of small entities because: This rule is about the correctional management of offenders committed to the custody of the Attorney General or the Director of the Bureau of Prisons, and its economic impact is limited to the Bureau's appropriated funds.

Unfunded Mandates Reform Act of 1995

This rule will not cause State, local and tribal governments, or the private sector, to spend \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. We do not need to take action under the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by § 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 551

Prisoners.

Harley G. Lappin,

Director, Bureau of Prisons.

Accordingly, for the reasons discussed above, we adopt as final the interim final rule published on January 19, 1993 (58 FR 5210), without change. [FR Doc. 03-9596 Filed 4-17-03; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[CGD07-03-041]

RIN 1625-AA08

Special Local Regulations; Miami Beach Super Boat Race, Miami Beach, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations for the Miami Beach Super

Boat Grand Prix powerboat race. This event will be in the Atlantic Ocean, off Miami Beach, Florida on April 27, 2003. This regulation is necessary to provide for the safety of life on navigable waters during the event.

DATES: 33 CFR 100.730 is suspended from April 1, 2003 until April 30, 2003. Temporary § 100.35T-07-041 is effective from 10 a.m. until 4 p.m. on April 27, 2003.

ADDRESSES: Documents indicated in the preamble are available for inspection or copying at Coast Guard Group Miami, 100 MacArthur Causeway, Miami Beach, Florida, between the hours of 7:30 a.m. and 3 p.m., Monday through Friday except Federal holidays.

FOR FURTHER INFORMATION CONTACT: BM1 D. Vaughn, Coast Guard Group Miami, Florida at (305) 535-4317.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM, which would incorporate a comment period before a final rule could be issued, would be contrary to public safety interests since immediate action is needed to minimize potential danger to the public associated with the large number of vessels expected for this event. Permanent special local regulations similar to this temporary rule have been in place for this event since 1998 effective on the third Sunday in April each year. However, this year the third Sunday in April is Easter Sunday. The race organizers are moving the race date this year to avoid a conflict with the holiday.

For the same reasons, under 5 U.S.C. 553, good cause exists for making this regulation effective in less than 30 days after publication in the **Federal Register**.

Background and Purpose

Super Boat International Productions Inc., is sponsoring a high-speed power boat race that will take place on April 27, 2003 in the Atlantic Ocean off Miami Beach, Florida. Approximately 35 race boats, ranging in length from 24 to 50 feet, will participate in the event. There will also be approximately 200 spectator craft in the area. The race boats will be competing at high speeds with numerous spectator vessels on scene, requiring control over vessel traffic in the area.

Discussion of Rule

These regulations create two regulated areas offshore from Miami Beach for this event. The first regulated area surrounds the race course and non-participant vessels are prohibited from entering this area without authorization from the Coast Guard Patrol Commander. The second regulated area establishes a spectator craft viewing area where spectator vessels may enter to watch the race.

Regulatory Evaluation

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. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS). We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary, because non-participant vessels are only prohibited from entering one of the regulated areas for 6 hours on the day of the event. Also, vessels should be able to transit around this one regulated area.

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, because non-participant vessels are only prohibited from entering one of the regulated areas for 6 hours on the day of the event. Also, vessels should be able to transit around this one regulated area.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 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.