

■ c. Paragraph (g)(1)(i) is amended by adding "DO .311—TIGTA Office of Investigations Files" to the table in numerical order.

■ d. Paragraph (g)(1)(viii) is amended by removing "IRS 60.003—Conduct Investigation Files; IRS 60.006—Enrollee Charge Investigation Files; IRS 60.007—Miscellaneous Information File, and IRS 60.009—Special Inquiry Investigation Files" from the table.

The additions to § 1.36 read as follows:

**§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 522a and this part.**

*	*	*	*	*	*
(c)	*	*	*		
(1)	*	*	*		
(i)	*	*	*		
Number			Name of system		
DO .311	.....				
			TIGTA Office of Investigations Files		
*	*	*	*	*	*
*	*	*	*	*	*
(g)	*	*	*		
(1)	*	*	*		
(i)	*	*	*		
Number			Name of system		
DO .311	.....				
			TIGTA Office of Investigations Files		
*	*	*	*	*	*
*	*	*	*	*	*

Dated: May 8, 2003.

**W. Earl Wright, Jr.,**

*Chief Management and Administrative Programs Officer.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[CGD05-03-049]

RIN 1625-AA08

#### Special Local Regulations for Marine Events; Atlantic Ocean, Point Pleasant Beach to Bay Head, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing temporary special local regulations for the "OPA/NJ Offshore Grand Prix", a marine event to be held on the waters of the Atlantic Ocean between Point Pleasant Beach and Bay Head, New Jersey. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the regulated area during the event.

**DATES:** This rule is effective from 9:30 a.m. to 3:30 p.m. on June 1, 2003.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket, are part of docket CGD05-03-049 and are available for inspection or copying at Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) and 553(d)(3), the Coast Guard finds that good cause exists for not publishing a NPRM and for making this rule effective less than 30 days after publication in the **Federal Register**. Because of the danger posed by high speed power boats racing in a closed circuit, special local regulations are necessary to provide for the safety of event participants, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. The event will take place on June 1, 2003. There is not sufficient time to allow for a notice and comment period prior to the event. However, advance notifications will be made via the Local Notice to Mariners, marine information broadcasts, and area newspapers.

##### Background and Purpose

On June 1, 2003, the Offshore Performance Association and the New Jersey Offshore Racing Association will sponsor the "OPA/NJ Offshore Grand Prix". The event will consist of 30-35 offshore power boats racing along an oval course on the waters of the Atlantic Ocean. A fleet of spectator vessels is expected to gather near the event site to view the competition. To provide for the safety of participants, spectators and

other transiting vessels, the Coast Guard will temporarily restrict vessel traffic in the event area during the races.

##### Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Atlantic Ocean and the Manasquan River. The temporary special local regulations will be in effect from 9:30 a.m. until 3:30 p.m. on June 1, 2003. The effect will be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. The Patrol Commander will allow non-participants to transit the regulated area between races. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

##### Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 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 temporary final rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation prevents traffic from transiting a portion of the Atlantic Ocean and Manasquan River during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers so mariners can adjust their plans accordingly. Additionally, vessel traffic will be allowed to transit through the regulated area between races.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we 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