

owners, or operators because of the low average annual cost per stakeholder and the voluntary nature of participating in this rule.

We estimated the majority of small entities have a less than 3 percent impact on revenue if they choose to fully participate in this rule. We anticipate the few remaining small entities that may have a greater than 3 percent impact on annual revenue will either opt out (not participate) or partially participate in the rule to the extent that the impact on revenue is not a burden.

There are other stakeholders affected by this rule in addition to port authorities, owners, and operators. The stakeholders could be any entity that the COTP invites to partially or fully participate. We anticipate the impact on other possible small entity stakeholders to be minimal because of the low average annual cost per stakeholder and the voluntary nature of participating in this rule.

Therefore, 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. If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule will have a significant economic impact on it, please submit a comment to the Docket Management Facility at the address under **ADDRESSES**. In your comment, explain why you think it qualifies and how and to what degree this rule would economically affect it.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction, and you have questions concerning its provisions or options for compliance, please consult LCDR Richard Teubner, USCG-MPS-2 by telephone, 202-267-1103, toll-free telephone, 1-800-842-8740 ext. 7-1103, or electronic mail, [msregs@comdt.uscg.mil](mailto:msregs@comdt.uscg.mil).

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).

#### Collection of Information

This rule calls for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). As defined in 5 CFR 1320.3(c), "collection of information" comprises reporting, recordkeeping, monitoring, posting, labeling, and other, similar actions. It modifies an existing OMB-approved collection—1625-0077 [formerly 2115-0622]. A summary of the revised collection follows.

**Title:** Security Plans for Ports, Vessels, Facilities, and Outer Continental Shelf Facilities and Other Security-Related Requirements.

**OMB Control Number:** 1625-0077

**Summary of the Collection of**

**Information:** The Coast Guard requires security plans and communication procedures for U.S. ports and maritime areas. This rule provides a framework to ensure adequate security planning, exercises, drilling, and communication procedures by inviting port and maritime area stakeholders (at the discretion of the COTP) to participate in security planning events including, but not limited to, meetings and information drills as detailed in part 103.

**Need for Information:** The primary need for information would be to determine if stakeholders are in compliance with security standards.

**Proposed Use of Information:** This information can help to determine appropriate security measures for the affected population. This information also can help determine, in the case of a transportation security incident, whether failure to meet these regulations contributed to the transportation security incident.

**Description of the Respondents:** This rule will affect approximately 200 stakeholders in 47 maritime areas containing 361 ports. The respondents are public and private stakeholders in the affected port areas (at the discretion of the COTP).

**Number of Respondents:** 9,400 (200 stakeholders in 47 maritime areas).

**Frequency of Response:** Varies. Initial AMS Plan planning occurs throughout the first year on an undefined schedule. AMS Committee meetings may occur monthly in the first two years of this rule with quarterly AMS Committee meetings in subsequent years.

Frequency of AMS Committee meetings is established in the AMS Committee Charter. After the first year, AMS Plan exercises occur once each calendar year

with no more than 18 months between exercises.

**Burden of Response:** The burden of response is approximately 128 hours for the first year per stakeholder. The second year burden of response is 116 hours per stakeholder. In the subsequent years, the annual burden of response is approximately 52 hours per stakeholder.

**Estimate of Total Annual Burden:** During the initial year the burden will be 1,203,200 hours. Subsequently, the average annual reporting burden is 488,800 hours for all stakeholders in all 47 COTP zones. For a summary of all revisions to this existing OMB-approved collection, refer to *Collection of Information* in the interim rule titled "Implementation of National Maritime Security Initiatives" (USCG-2003-14792) published elsewhere in today's **Federal Register**.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), we have submitted a copy of this rule to OMB for its review of the collection of information. Due to the circumstances surrounding this temporary rule, we asked for "emergency processing" of our request. We received OMB approval for the collection of information on June 16, 2003. It is valid until December 31, 2003.

We ask for public comment on the collection of information to help us determine how useful the information is; whether it can help us perform our functions better; whether it is readily available elsewhere; how accurate our estimate of the burden of collection is; how valid our methods for determining burden are; how we can improve the quality, usefulness, and clarity of the information; and how we can minimize the burden of collection.

If you submit comments on the collection of information, submit them both to OMB and to the Docket Management Facility where indicated under **ADDRESSES**, by the date under **DATES**.

You need not respond to a collection of information, unless it displays a currently valid control number from OMB. We received OMB approval for the collection of information on June 16, 2003. It is valid until December 31, 2003.

#### 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. *See the Federalism* section in the preamble to the interim