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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 interim 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. The title and description of the information collections, a description of those who must collect the information, and an estimate of the total annual burden follow. The estimate covers the time for reviewing instructions, searching existing sources of data, gathering and maintaining the data needed, and completing and reviewing the collection.

This interim rule modifies an existing OMB-approved collection—1625-0077 [formerly 2115-0557]. 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 facilities to draft and maintain Facility Security Assessments and Facility Security Plans. It also requires that, under certain circumstances, documentation and letters be provided to the Coast Guard to ensure compliance with the security requirements. Finally, the Coast Guard requires that a Declaration of Security be completed between facilities and vessels handling certain types of cargo.

**Need for Information:** The primary need for information is to identify the adequate security mitigating measures that will be implemented when needed. Additionally, the Coast Guard intends to collect a summary of the vulnerabilities and selected security measures from the facilities regulated under this rule. The data will be submitted on form CG-6025, Facility Vulnerability and Security Measures Summary. Electronic submission when available will be

accepted and encouraged. The form must be included in the Facility Security Plan as an annex to assist COTPs in the development of the Area Maritime Security Plan.

**Proposed Use of Information:** The information will be used to identify and communicate the security mitigating measures to the Coast Guard and necessary personnel. Declarations of Security will be used by some facilities and vessels to identify and delineate the security responsibilities between a vessel and a facility.

**Description of the Respondents:** The Facility Security Officer or another designated person is responsible for developing the Facility Security Assessment and the Facility Security Plan. For some facilities, the Facility Security Officer will also complete a Declaration of Security.

**Number of Respondents:** 4,965 Facility Security Officers.

**Frequency of Response:** Facility Security Assessments and Facility Security Plans are to be submitted for approval initially, and will be reviewed annually. Declarations of Security are to be completed whenever certain vessels are being serviced by a facility.

**Burden of Response:** The burden of developing each Facility Security Assessment and each Facility Security Plan is estimated to take 80 hours for some facilities and 40 hours for others. Updating each assessment or plan is estimated to take 4 hours for some facilities and 2 hours for others. Each Declaration of Security is expected to be 15 minutes.

**Estimate of Total Annual Burden:** Facility Security Assessments and Facility Security Plans will have a total burden in the initial year of 528,240 hours (264,120 for the assessments and 264,120 for the plans). Annually, the total burden of the assessments and the plans is 26,412 hours (13,206 for the assessments and 13,206 for the plans). Declarations of Security will have an annual burden of 581,775 hours. The total burden hours for this interim rule are 528,240 hours in the initial year, and 608,187 hours in subsequent years. 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 interim rule to the Office of Management and Budget (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 interim rule preamble titled "Implementation of National Maritime Security Initiatives" (USCG-2003-14792), published elsewhere in today's **Federal Register**, for a detailed of the analysis under this Executive Order.

### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. This rule is exempted from assessing the effects of the regulatory action as required by the Act because it is necessary for the national security of the U.S.

### Taking of Private Property

This interim rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental