

traffic in that portion of the Ohio River from miles 309.0 to 312.5 for all vessels except those engaged in salvage or surveying operations until this hazard is mitigated. Transit of the area will be on a case-by-case basis and only upon specific approval and direction of the Captain of the Port Huntington during periods of river closure. The Ohio side of the center channel is restricted in width, and the West Virginia alternate channel has been opened to provide safe navigational waters. Representatives of the Captain of the Port Huntington can be reached via marine radio on channels 13 or 16. Salvage operators can be reached by contacting the M/V ARKANSAS TRAVELER on marine radio channels 13 or 16. The M/V BUNKER BEAVER will be stationed on scene from 7 p.m. to 7 a.m. EST to render assistance as needed to transiting vessels. The M/V BUNKER BEAVER will be monitoring marine radio channels 13 and 16. Regularly scheduled Broadcast Notice to Mariners will be issued to keep vessel operators appraised of the status of the safety zone.

#### Regulatory Evaluation

This regulation 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. It has been exempted from review by the Office of Management and Budget under that order. It is not under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be such that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary, due to the duration of the actual river closure.

#### Small Entities

The Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism Assessment

The Coast Guard has analyzed this regulation under the principles and

criteria contained in Executive Order 12612 and has determined that it does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environmental Assessment

The Coast Guard considered the environmental impact of this regulation and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B, (as revised by 59 FR 38654; July 29, 1994) this regulation is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Records and recordkeeping requirements, Security measures, Waterways.

#### Temporary Regulation

In consideration of the foregoing, Subpart F of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

#### PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A temporary section 165.T02–008 is added, to read as follows:

#### § 165.T02–008 Safety Zone: Ohio River

(a) *Location.* The Ohio River between miles 309.0 and 312.5 is established as a safety zone.

(b) *Effective Dates.* This section is effective from 7 p.m. e.s.t. on May 24, 1996. It terminates on June 12, 1996 at 7 a.m. e.s.t. unless terminated sooner by the Captain of the Port Huntington, WV.

#### (c) Regulations.

(1) Periods of river closure will be announced by Broadcast Notice to Mariners, and/or by Coast Guard representatives on-scene via channel 13 and 16.

(2) Under the general regulations of section 165.23 of this part, entry of vessels into this zone during periods of closure is prohibited unless authorized by the Captain of the Port.

#### (3) All vessels must:

(i) Communicate with on-scene by personnel from the Coast Guard Marine Safety Office, Huntington, WV, and/or the contract vessel M/V ARKANSAS TRAVELER on channel 13 or 16 VHF–FM to arrange for safe passage through the safety zone during all periods of closure.

(ii) Communicate with the contract vessel M/V BUNKER BEAVER on

channel 13 or 16 VHF–FM to arrange for safe passage through the safety zone at all other times between the hours of 7 p.m. and 7 a.m. e.s.t. or during periods of inclement weather.

(4) Vessels engaged in conducting or supporting salvage operations may continue to operate as necessary.

Dated: May 24, 1996, 5 p.m. e.s.t.

G.H. Burns, III,

*Lieutenant Commander, U.S. Coast Guard, Captain of the Port, Acting, Huntington, WV.*  
[FR Doc. 96–14425 Filed 6–6–96; 8:45 am]

BILLING CODE 4910–14–M

#### 33 CFR Part 165

[COTP Miami 96–039]

RIN 2115–AA97

#### Security Zone Regulations: U.S. Coast Guard Base Miami Beach; Miami Beach, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** These regulations are initiated to remove 33 CFR § 165.T0706. This security zone regulation was established to protect U.S. Coast Guard Base Miami Beach and vessels moored thereto from potential subversive acts by any unknown person(s) hostile to the United States. The potential threat stemmed from the United States' support of the United Nations Resolutions calling for the removal of Iraqi military forces from Kuwait. The Iraqi military forces have been removed from Kuwait and the danger of subversive acts is no longer present. Therefore, the Coast Guard is removing 33 CFR § 165.T0706.

**EFFECTIVE DATE:** June 7, 1996.

#### FOR FURTHER INFORMATION CONTACT:

BMC J.L. Belk, project officer, Port Management and Response Department, USCG Marine Safety Office at (305) 536–5693.

**SUPPLEMENTARY INFORMATION:** The Coast Guard finds in accordance with 5 U.S.C. 553, good cause exists for proceeding directly to a final rule and making this rule effective in less than 30 days. This final rule removes a temporary security zone put in place during the Gulf War 1991. The potential threat to U.S. Coast Guard Base Miami Beach has not existed since 1991 and the end of hostilities with Iraq. Therefore, publishing an NPRM or delaying the effective date of this final rule is unnecessary and the Coast Guard is proceeding directly to final rule, effective on publication in the Federal Register.

## Discussion of Regulations

The security zone regulations for Coast Guard Base Miami Beach were published as an emergency rule in the Federal Register on February 13, 1991 [56 FR 5754]. These security zone regulations were established due to the potential threat stemming from the United States' support of United Nations Resolutions calling for the removal of Iraqi military forces from Kuwait. This increased the possibility of acts of terrorism or sabotage by unknown person(s) against United States Coast Guard Base Miami Beach facilities. In 1991, the United States and other United Nations member forces freed Kuwait and the region was restored to order. This action decreased the possibility of acts of terrorism or sabotage against United States Coast Guard Base Miami Beach facilities. Therefore, this security zone regulation is no longer necessary, and the Coast Guard is removing the rule at 33 CFR § 165.T0706.

## 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. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This rule will remove a current security zone and thereby lessen any economic burden.

## Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small business and not-for-profit organizations that are independently owned and operated and not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

For the reasons set forth above, the Coast Guard certifies this action will not have a significant economic impact on small entities.

## Collection of Information

This rule contains no collection-of-information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

## Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

## Environment

The Coast Guard has considered the environmental impact of this rule and has determined pursuant to section 2.B.2. of Commandant Instruction M16475.1B (as revised by 59 FR 38654, July 29, 1994) that this rule is categorically excluded from further environmental documentation. A categorical exclusion checklist and categorical exclusion determination have been completed and are available for inspection and copying.

## List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

In consideration of the foregoing, the Coast Guard amends, Subpart D of Part 165 Title 33, Code of Federal Regulations as follows:

## PART 165—[AMENDED]

1. The authority citation of Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

## § 165.T0706 [Removed]

2. Section 165.T0706 is removed.

Dated: May 28, 1996.

D. F. Miller,

*Captain, U.S. Coast Guard, Captain of the Port Miami.*

[FR Doc. 96–14424 Filed 6–5–96; 8:45 am]

BILLING CODE 4910–14–M

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 1

RIN 2900–AI23

### Information Law; Miscellaneous

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

**SUMMARY:** This document amends Department of Veterans Affairs (VA) regulations concerning information law by eliminating provisions that

essentially restate statutory language from the Freedom of Information Act and the Privacy Act.

EFFECTIVE DATE: June 7, 1996.

### FOR FURTHER INFORMATION CONTACT:

Lorrie Johnson, Jeff Corzatt, Staff Attorneys, Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273–6380.

**SUPPLEMENTARY INFORMATION:** This final rule consists of nonsubstantive changes and, therefore, is not subject to the notice comment and effective date provisions of 5 U.S.C. 553.

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This final rule merely consists of nonsubstantive changes.

There is no Catalog of Federal Domestic Assistance Number for the programs affected by this regulation.

### List of Subjects in 38 CFR Part 1

Administrative practice and procedures, Archives and records, Cemeteries, Claims, Courts, Flags, Freedom of information, Government contracts, Government employees, Government property, Infants and children, Inventions and patents, Investigations, Parking, Penalties, Postal Service, Privacy, Reporting and recordkeeping requirements, Seals and insignia, Security measures, Wages.

Approved: May 30, 1996.

Jesse Brown,

*Secretary of Veterans Affairs.*

For the reasons set forth in the preamble, 38 CFR part 1 is amended as follows:

## PART 1—GENERAL PROVISIONS

1. The authority citation for part 1 continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

§§ 1.558, 1.559, 1.578, 1.581, 1.583, 1.584, [Removed]

2. Sections 1.558, 1.559, 1.578, 1.581, 1.583, and 1.584 are removed.

[FR Doc. 96–14205 Filed 6–6–96; 8:45 am]

BILLING CODE 8320–01–P

### 38 CFR Part 1

RIN 2900–AI25

### Investigation Regulations

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.