

**List of Subjects in 33 CFR Part 100**

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

**Temporary Regulations**

In consideration of the foregoing, the Coast Guard amends Part 100 of Title 33, Code of Federal Regulations, as follows.

**PART 100—[AMENDED]**

1. The authority citation for Part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233, 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section 100.35–T07–017 is added to read as follows:

**§ 100.35–T07–017 Whitbread Race; Fort Lauderdale, FL**

(a) *Regulated Areas* (all coordinates reference Datum: NAD 1983). (1) A regulated area is established for the starting line by a line joining the following corner points: Corner point 1: 26–07.9N–080–04.4W, Corner point 2: 26–07.1N–080–04.4W, Corner point 3: 26–07.9N–080–05.6W, Corner point 4: 26–07.1N–080–05.6W.

(2) A regulated area is established for the turning point by a line joining the following corner points: Corner point 1: 26–10.1N–080–04.6W, Corner point 2: 26–10.1N–080–05.2W, Corner point 3: 26–10.9N–080–04.6W, Corner point 4: 26–10.9N–080–05.2W.

(b) *Special local regulations.* (1) Entry into the regulated area by other than event participants is prohibited unless otherwise authorized by the Patrol Commander. After departure of participants from the regulated area, traffic may resume normal operations.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(c) *Dates.* This section is effective at 12 p.m. and terminates at 1 p.m. EDT on April 19, 1998.

Dated: March 18, 1998.

**Norman T. Saunders,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.*

[FR Doc. 98–8254 Filed 4–1–98; 8:45 am]

BILLING CODE 4910–15–M

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 165**

[CGD01–97–004]

RIN 2115–AA97

**Security Zone: Dignitary Arrival/Departure Logan International Airport, Boston, MA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a permanent, four-sector security zone on the waters around Logan International Airport, above the Callahan Tunnel, Sumner Tunnel, Ted Williams Tunnel, and around any designated vessel, to protect the President, Vice President and visiting heads of foreign states or foreign governments during their arrival, departure and transits to and from Logan International Airport.

**DATES:** This rule is effective on June 1, 1998.

**ADDRESSES:** The comments and other material referred to in this preamble are available for inspection or copying at the Marine Safety Office, Boston, MA, during normal working hours between the hours of 7:30 a.m. and 3:30 p.m., Monday through Friday, except federal holidays.

**FOR FURTHER INFORMATION CONTACT:** LT Michael H. Day or MSTC Daniel J. Dugery, Coast Guard Marine Safety Office, Boston, MA; telephone (617) 223–3000.

**SUPPLEMENTARY INFORMATION:****Regulatory History**

On January 8, 1998, the Coast Guard published a Notice of Proposed Rulemaking titled “Security Zone: Dignitary Arrival/Departure Logan International Airport, Boston, MA” in the *Federal Register* (63 FR 1089). The comment period ended March 9, 1998. The Coast Guard received two letters commenting on this proposal. These comments have been incorporated into this final rule. No public hearing was requested and none was held.

**Background and Purpose**

Boston Massachusetts is visited by the President or Vice President of the United States, or visiting heads of foreign states or foreign governments an average of 24 times per year. Often these visits are on short notice. The President, Vice President, and visiting heads of foreign states or foreign governments require Secret Service protection. The

President, Vice President, and visiting heads of foreign states or foreign governments arrive at Logan International Airport and then transit to locations throughout Boston by car or boat. Due to the sensitive nature of these visits, a security zone is needed. Standard security procedures are enacted to ensure the proper level of protection to prevent sabotage or other subversive acts, accidents, or other activities of a similar nature. In the past, temporary security zones were requested by the U.S. Secret Service with limited notice for preparation by the U.S. Coast Guard. This regulation establishes a permanent four-sector security zone that can be activated upon the request of the U.S. Secret Service pursuant to their authority under 18 U.S.C. 3056. The security zone sections will be as follows:

Sector one will go into effect 15 minutes prior to the scheduled landing or takeoff of the aircraft carrying the President, Vice President, or visiting heads of foreign states or foreign governments at Logan International Airport. Sector one will preclude all vessels from approaching within three hundred yards of the Logan International Airport shoreline, bound on the west by a line drawn between positions 42°22′45″N, 071°01′05″W and 42°21′48″N, 071°01′45″W (NAD 1983).

Sector two will go into effect 15 minutes before the vehicle carrying the President, Vice President, or visiting heads of foreign states or foreign governments enters the Callahan Tunnel or Sumner Tunnel. Sector two may preclude vessels, as necessary, from entering an area of the main ship channel, Boston Inner Harbor, fifty yards in all directions from a point directly above the Callahan Tunnel or the Sumner Tunnel.

Sector three will go into effect 15 minutes before the vehicle carrying the President, Vice President, or visiting heads of foreign states or foreign governments enters the Ted Williams Tunnel. Sector three may preclude vessels, as necessary, from entering an area of the main ship channel, Boston Inner Harbor, fifty yards in all directions from a point directly above the Ted Williams Tunnel.

Sector four will go into effect 15 minutes before the President, Vice President, or visiting heads of foreign states or foreign governments board the designated transport vessel. Sector four will preclude all vessels from approaching within three hundred yards in all directions from the designated vessel transporting the dignitaries between Logan International Airport and any location in Boston Harbor.

The activation of a particular sector of this security zone will be announced via Safety Marine Information Broadcasts and/or by locally issued notices.

#### Discussion of Comments and Changes

Responses to the Notice of Proposed Rulemaking provided a number of specific comments on the proposed rule. The letters expressed concern over the potential impact this rule could have on the port community.

One comment expressed a concern of local shipping agencies that this rule would close the waters over the Callahan Tunnel, Sumner Tunnel, and Ted Williams Tunnel for extended periods of time. In response to this comment, the wording of sections two and three of the security zone has been changed from "will preclude all vessels" to "may preclude vessels, as necessary." In the past, when enforcing a temporary security zone over these tunnels, the Coast Guard vessel(s) on scene had the option whether to allow vessels to transit through the temporary security zone or to close the waterway to all vessel transits. This option remains.

Another comment expressed concern that the security zone around the designated transport vessel moving the President, Vice President, or visiting heads of foreign states or foreign governments could cause obstructions and delays to commercial deep draft vessels transiting Boston Inner harbor.

Discussions with the U.S. Secret Service and an examination of past temporary security zone enforcement practices has shown that transport vessels moving the President, Vice President, or visiting heads of foreign states or foreign governments across the harbor have allowed commercial vessels to transit through the area rather than impede the transit of a commercial vessel.

The last comment indicated that a security zone, two hours in duration, would place an unnecessary delay on vessels transiting the port. In view of this comment, the wording under *Regulatory Evaluation* has been changed from "less than two hour duration" to "less than one half-hour duration." This reflects the average time temporary security zones have been in effect for inbound and outbound transits to Logan Airport.

#### 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 is unnecessary. The Coast Guard anticipates that this security zone will be activated an average of 24 times per year. Costs resulting from these regulations, if any, will be minor and have no significant adverse financial effect on vessel operators as the activation of any one of the sectors of this security zone will be less than one half-hour duration. Deep draft vessel traffic, fishing vessels, and tour boats may experience slight delays in departures or arrivals, however, the delays are minimal relative to the highly significant national security interest in protecting the President, Vice President, and visiting heads of foreign states or foreign governments visiting Boston.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

For the reasons addressed under the Regulatory Evaluation above, the Coast Guard finds that this rule will not have a significant 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

This rule has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and it has been determined that this rule 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 concluded that, under section 2.B.2.e.(34)(g) of Commandant Instruction M16475.1B (as revised by 59 FR 38654, July 29, 1994), this rule is categorically excluded from further

environmental documentation. A Categorical Exclusion Determination and an Environmental Analysis Checklist are included in the docket.

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

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

For reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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. Section 165.113, is added to read as follows:

##### § 165.113 Security zone: Dignitary arrival/ departure Logan International Airport, Boston, MA

(a) *Location.* The permanent security zone consists of four sectors that may be activated in part, or in whole, upon the request of the U.S. Secret Service. These zones are for the protection of the President or Vice President of the United States, as well as visiting heads of foreign states or foreign governments arriving at, or departing from, Logan International Airport and as determined by the transit route across Boston Harbor. The security zone will be as follows:

(1) Sector one will go into effect 15 minutes prior to the scheduled landing or takeoff of the aircraft carrying either the President, Vice President, or visiting heads of foreign states or foreign governments at Logan International Airport. Sector one will preclude all vessels from approaching within three hundred yards of the Logan International Airport shoreline, bound on the west by a line drawn between positions 42°22'45"N, 071°01'05"W and 42°21'48"N, 071°01'45"W (NAD) 1983).

(2) Sector two will go into effect 15 minutes before the vehicle carrying the President, Vice President, or visiting heads of foreign states or foreign governments enters the Callahan Tunnel or Sumner Tunnel. Sector two may preclude vessels, as necessary, from entering an area of the main ship channel, Boston Inner Harbor; fifty yards in all directions from a point directly above the Callahan Tunnel or Sumner Tunnel.

(3) Sector three will go into effect 15 minutes before the vehicle carrying the President, Vice President, or visiting

heads of foreign states or foreign governments enters the Ted Williams Tunnel. Sector three may preclude vessels, as necessary, from entering an area of the main ship channel, Boston Inner Harbor, fifty yards in all directions from a point directly above the Ted Williams Tunnel.

(4) Sector four will go into effect 15 minutes before the President, Vice President, or visiting heads of foreign states or foreign governments board the designated transport vessel. Sector four will preclude all vessels from approaching within three hundred yards in all directions from the designated vessel transporting the President, Vice President, or visiting heads of foreign states or foreign governments between Logan International Airport and any location in Boston Harbor.

(5) The activation of a particular sector of this security zone will be announced via Safety Marine Information Broadcasts and/or by locally issued notices.

(b) *Regulations.* (1) The general regulations covering security zones contained in 33 CFR 165.33 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: March 18, 1998.

**J. L. Grenier,**

*Captain, U.S. Coast Guard, Captain of the Port, Boston, Massachusetts.*

[FR Doc. 98-8259 Filed 4-1-98; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF JUSTICE

### 48 CFR Chapter 28

#### Justice Acquisition Regulations; Implementation of the Federal Acquisition Reform Act, the Federal Acquisition Streamlining Act and the National Performance Review Recommendations

AGENCY: Justice Management Division, Justice.

ACTION: Final rule.

**SUMMARY:** The Department of Justice (DOJ) has rewritten 48 CFR Chapter 28, the Justice Acquisition Regulations, in its entirety in order to implement regulatory changes resulting from the

Federal Acquisition Reform Act, the Federal Acquisition Streamlining Act and to implement recommendations of the National Performance Review. This effort creates a new JAR that is simpler and less burdensome. This 1998 version of the JAR supersedes the 1985 version and all amendments (Justice Acquisition Circulars 85-1 through 97-1) issued prior to the date of publication of this final rule.

**EFFECTIVE DATE:** April 2, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Janis Sposato, Procurement Executive, Justice Management Division (202) 514-3103.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This final rule revises 48 CFR chapter 28 in its entirety. A proposed rule with request for comments was published in the **Federal Register** on January 9, 1998. The final rule differs from the proposed rule to make editorial corrections and incorporate comments as appropriate.

No comments were received from other than DOJ components. The comments were considered in developing the final rule.

##### B. Regulatory Flexibility Act

The Department of Justice certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the amendment sets forth internal departmental procedures.

##### C. Paperwork Reduction Act

The final rule imposes no new information collection requirements that require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 (Pub. L. 96-511). All information collection requirements have been submitted to OMB. In those cases where an OMB control number has been assigned, the control number is included in the regulation.

##### List of Subjects in 48 CFR Parts 2801 through 2852

Government procurement.  
**Stephen R. Colgate,**  
*Assistant Attorney General for Administration.*

For the reasons set out in the preamble, Chapter 28 of Title 48 of the Code of Federal Regulations is revised as set forth below.

## CHAPTER 28—DEPARTMENT OF JUSTICE

### Subchapter A—General

Part 2801—Department of Justice Acquisition Regulation System  
Part 2802—Definitions of Words and Terms  
Part 2803—Improper Business Practices and Personal Conflicts of Interest  
Part 2804—Administrative Matters

### Subchapter B—Competition and Acquisition Planning

Part 2805—Publicizing Contract Actions  
Part 2806—Competition Requirements  
Part 2807—Acquisition Planning  
Part 2808—Required Sources of Supplies and Services  
Part 2809—Contractor Qualifications  
Part 2811—Describing Agency Needs  
Part 2812—Acquisition of Commercial Items

### Subchapter C—Contracting Methods and Contract Types

Part 2813—Simplified Acquisition Procedures  
Part 2814—Sealed Bidding  
Part 2815—Contracting By Negotiation  
Part 2816—Types of Contracts  
Part 2817—Special Contracting Methods

### Subchapter D—Socioeconomic Programs

Part 2819—Small Business Programs  
Part 2822—Application of Labor Laws to Government Acquisitions  
Part 2823—Environment, Conservation, Occupational Safety, and Drug-Free Workplace  
Part 2824—Protection of Privacy and Freedom of Information  
Part 2825—Foreign Acquisition

### Subchapter E—General Contracting Requirements

Part 2828—Bonds and Insurance  
Part 2829—Taxes  
Part 2830—Cost Accounting Standards (CAS) Administration  
Part 2831—Contract Cost Principles and Procedures  
Part 2832—Contract Financing  
Part 2833—Protests, Disputes, and Appeals

### Subchapter F—Special Categories of Contracting

Part 2834—Major System Acquisition

### Subchapter G—Contract Management

Part 2842—Contract Administration  
Part 2845—Government Property  
Part 2846—Quality Assurance

### Subchapter H—Clauses and Forms

Part 2852—Solicitation Provisions and Contract Clauses

### Subchapter A—General

#### Part 2801—Department of Justice Acquisition Regulations System

##### Subpart 2801.1—Purpose, Authority, Issuance

2801.101 Purpose.  
2801.106 OMB approval under the Paperwork Reduction Act.

##### Subpart 2801.2—Administration

2801.270-1 Revisions.