

(iii) Release to the individual of the disclosure accounting would alert the individual as to which agencies were investigating the tax exempt government entity subject to investigation, would provide information concerning the scope of the investigation, and could aid the individual in impeding or compromising investigations by those agencies.

(2) 5 U.S.C. 552a(d)(1), (2), (3) and (4), (e)(4)(G), (e)(4)(H), and (f). These provisions of the Privacy Act relate to an individual's right to be notified of: The existence of records pertaining to such individual; Requirements for identifying an individual who requested access to records; the agency procedures relating to access to records; the content of the information contained in such records; and; the civil remedies available to the individual in the event of adverse determinations by an agency concerning access to or amendment of information contained in record systems.

The reasons for exempting this system of records from the foregoing provisions are as follows:

Notifying an individual (at the individual's request) of the existence of an investigative file pertaining to such individual or granting access to an investigative file pertaining to such individual could: Interfere with investigative and enforcement proceedings; deprive co-defendants of a right to a fair trial or an impartial adjudication; constitute an unwarranted invasion of the personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by such sources; or, disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(1). This provision of the Privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order. The reasons for exempting this system of records from the foregoing are as follows:

(i) The IRS will limit the system to those records relevant and necessary for identifying, monitoring, and responding to complaints, allegations and other information received concerning violations or potential violations of Title 26. However, an exemption from the foregoing is needed because, particularly in the early stages of an investigation, it is not always possible to determine the relevance or necessity of specific information.

(ii) Relevance and necessity are questions of judgment and timing. What

appears relevant and necessary when first received may subsequently be determined to be irrelevant or unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established with certainty.

(4) 5 U.S.C. 552a(e)(4)(I). This provision of the Privacy Act requires the publication of the categories of sources of records in each system of records. The reasons for exempting this system of records from the foregoing provision are as follows:

(i) Revealing categories of sources of information could disclose investigative techniques and procedures;

(ii) Revealing categories of sources of information could cause sources that supply information to investigators to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality.

As required by Executive Order 12866, it has been determined that this rule is not a significant regulatory action, and therefore, does not require a regulatory impact analysis.

The regulation will not have a substantial direct effect on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this rule does not have federalism implications under Executive Order 13132.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601–612, it is hereby certified that these regulations will not significantly affect a substantial number of small entities. The rule imposes no duties or obligations on small entities.

In accordance with the provisions of the Paperwork Reduction Act of 1995, the Department of the Treasury has determined that this rule would not impose new recordkeeping, application, reporting, or other types of information collection requirements.

#### List of Subjects in 31 CFR Part 1

Privacy.

■ Part 1, subpart C of title 31 of the Code of Federal Regulations is amended as follows:

#### PART 1—[AMENDED]

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

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552 as amended. Subpart C also issued under 5 U.S.C. 552a.

■ 2. Section 1.36 paragraph (g)(1)(viii) is amended by adding the following text to the table in numerical order.

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

*	*	*	*	*
(g)	*	*	*	
(1)	*	*	*	
(viii)	*	*	*	
Number		Name of system		
*	*	*	*	*
Treasury/IRS 50.222		Tax Exempt Government Entities Case Management Records.		
*	*	*	*	*

Dated: August 25, 2009.

**Elizabeth Cuffe,**

*Deputy Assistant Secretary for Privacy and Treasury Records.*

[FR Doc. E9–24302 Filed 10–7–09; 8:45 am]

**BILLING CODE 4830–01–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[USCG–2009–0816]

#### Notice of Enforcement of Regulation

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the special local regulations in the navigable waters of San Francisco Bay for the annual U.S. Navy and City of San Francisco sponsored Fleet Week Parade of Navy Ships, Blue Angels Flight Demonstrations, and Ship Tours to be held from October 8, 2009 through October 12, 2009. This action is necessary to ensure the safety of event participants and spectators. During the enforcement period, no persons or vessels may enter the regulated area without permission of the Captain of the Port (COTP) or his designated representative.

**DATES:** The regulations in 33 CFR 100.1105(b)(2), regulated area “Bravo” for the U.S. Navy Blue Angels Activities, will be enforced from 12:30 p.m. to 5 p.m. on October 8, 2009 through October 11, 2009. If the U.S. Navy Blue Angels Activities are delayed by inclement weather, the regulation

will also be enforced on October 12, 2009, from 12:30 p.m. to 5 p.m. The regulations in 33 CFR 100.1105(b)(1), regulated area "Alpha" for Navy Parade of Ships, will be enforced from 10:30 a.m. to 1 p.m. on October 10, 2009.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Junior Grade Simone Mausz, Waterways Safety Branch, U.S. Coast Guard Sector San Francisco, at (415) 399-7443; e-mail [simone.mausz@uscg.mil](mailto:simone.mausz@uscg.mil), or the Sector San Francisco Command Center, at (415) 399-3547.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the special local regulation for the annual San Francisco Bay Navy Fleet Week Parade of Ships and Blue Angels Demonstration in 33 CFR 100.1105; the Navy Parade of Ships will be enforced from 10:30 a.m. to 1 p.m. on October 10, 2009; and the U.S. Navy Blue Angels Activities will be enforced from 12:30 p.m. to 5 p.m. on October 8, 2009 through October 12, 2009. If the U.S. Navy Blue Angels Activities are delayed by inclement weather, the regulation will also be enforced on October 12, 2009, from 12:30 p.m. to 5 p.m. These regulations can also be found in the October 1, 1993, issue of the **Federal Register** 58 FR 51242. Under the provisions of 33 CFR 100.1105 a vessel may not enter the regulated area, unless it receives permission from the COTP. Additionally, no person or vessel may enter or remain within 500 yards ahead of the lead Navy parade vessel, within 200 yards astern of the last parade vessel, and within 200 yards on either side of all parade vessels. No person or vessel shall anchor, block, loiter in, or impede the transit of ship parade participants or official patrol vessels. When hailed by U.S. Coast Guard patrol personnel by siren, radio, flashing light, or other means, a person or vessel shall come to an immediate stop. Persons or vessels shall comply with all directions given. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 100.1105 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with extensive advance notification of this enforcement period via the Local Notice to Mariners, and Broadcast Notice to Mariners.

Dated: September 11, 2009.

**P.M. Gugg,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco.*

[FR Doc. E9-24319 Filed 10-7-09; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[Docket No. USCG-2009-0045]

RIN 1625-AA01

#### Anchorage Regulations; Port of New York

**AGENCY:** Coast Guard, DHS.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms that the direct final rule entitled "Anchorage Regulations; Port of New York," published July 1, 2009, in the **Federal Register** (74 FR 31354), became effective September 29, 2009.

**DATES:** The effective date of the direct final rule published July 1, 2009 (74 FR 31354), is confirmed as September 29, 2009.

**ADDRESSES:** The docket for this rulemaking, USCG-2009-0045, is available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG-2009-0045 in the "Keyword" box, and then clicking "Search."

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rulemaking, call or e-mail Mr. Jeff Yunker, Waterways Management Division, Coast Guard, telephone 718-354-4195, e-mail [Jeff.M.Yunker@uscg.mil](mailto:Jeff.M.Yunker@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

On July 1, 2009, we published a direct final rule entitled "Anchorage Regulations; Port of New York" in the **Federal Register** (74 FR 31354). That direct final rule revised the southern boundary of Anchorage Ground No. 20-F such that it no longer interferes with the expanded Port Jersey Federal Channel, removing authorization for vessels to mistakenly anchor within a Federal Channel, and therefore removing this hazardous condition for vessels navigating in this area. Additionally, the direct final rule updated two geographic coordinates that make up the northern boundary.

The physical location of these points is unchanged; however slight changes in the coordinates reflect the update to datum NAD 83.

In the direct final rule we notified the public of our intent to make the rule effective on September 29, 2009, unless an adverse comment, or notice of intent to submit an adverse comment, was received on or before August 31, 2009. We did not receive any comments or notices of intent to submit an adverse comment on that rule. Therefore, under 33 CFR 1.05-55(d), we now confirm that the "Anchorage Regulations; Port of New York" rule became effective, as scheduled, on September 29, 2009.

Dated: September 29, 2009.

**Joseph L. Nimmich,**

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

[FR Doc. E9-24318 Filed 10-7-09; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[Docket No. USCG-2008-1232]

RIN 1625-AA01

#### Anchorage; New and Revised Anchorage in the Captain of the Port Portland, OR, Area of Responsibility

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a new anchorage, modifying existing anchorages, and revising the regulations governing anchorages in the Captain of the Port Portland, Oregon, area of responsibility. These changes are necessary to ensure that there are sufficient anchorage opportunities in that area, and to clarify the locations of those anchorage opportunities. In addition, the changes will help prevent conflicts with navigable channels and other uses of anchorage waters.

**DATES:** This rule is effective November 9, 2009.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2008-1232 and are available online by going to <http://www.regulations.gov>, inserting USCG-2008-1232 in the "Keyword" box, and clicking "Search." This material is also available for inspection or copying at the Docket Management Facility (M-30),