

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g.), of the Instruction because the rule involves the establishment of a safety zone.

An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

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

■ For the reasons discussed 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. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T11-238 to read as follows:

§ 165.T11-238 Safety Zone; Catholic Church Procession; San Diego Bay, San Diego, CA.

(a) *Location*. The following area is a safety zone: All waters of San Diego Bay, from surface to bottom, within 300 feet of the firing site located at the end of Grape Street, Pier 2, San Diego, California.

(b) *Enforcement Period*. This section will be enforced from 2 p.m. to 4 p.m. on October 19, 2009. If the event concludes prior to the scheduled termination time, the Captain of the Port will cease enforcement of this safety zone and will announce that fact via Broadcast Notice to Mariners.

(c) *Definitions*. The following definition applies to this section: *Designated representative*, means any commissioned, warrant, or petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, or local,

State, or Federal law enforcement vessels who have been authorized to act on behalf of the Captain of the Port.

(d) *Regulations*. (1) Entry into, transit through or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port of San Diego or his designated on-scene representative.

(2) Mariners requesting permission to transit through the safety zone may request authorization to do so from the Sector San Diego Communications Center (COMCEN). The COMCEN may be contacted via VHF-FM Channel 16 or (619) 278-7033.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated representative.

(4) Upon being hailed by U.S. Coast Guard patrol personnel by siren, radio, flashing light, or other means, the operator of a vessel must proceed as directed.

(5) The Coast Guard may be assisted by other Federal, State, or local agencies.

Dated: September 21, 2009.

T.H. Farris,

Captain, U.S. Coast Guard, Captain of the Port San Diego.

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DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 203

RIN 0750-AG34

Defense Federal Acquisition Regulation Supplement; DoD Inspector General Address (DFARS Case 2009-D001)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to add the address of the DoD Inspector General office designated for receipt of information relating to a possible contractor violation of Federal criminal law or the civil False Claims Act.

DATES: *Effective Date:* October 19, 2009.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, Defense Acquisition Regulations System, OUSD (AT&L) DPAP (DARS), IMD 3D139, 3062 Defense Pentagon, Washington, DC

20301-3062. Telephone 703-602-0328; facsimile 703-602-7887. Please cite DFARS Case 2009-D001.

SUPPLEMENTARY INFORMATION:

A. Background

Section 3.1003(b) of the Federal Acquisition Regulation requires that, if a contracting officer becomes aware of a possible contractor violation of Federal criminal law or the civil False Claims Act, the contracting officer must coordinate the matter with the agency Office of the Inspector General or must take action in accordance with agency procedures. This final rule adds text at DFARS 203.1003(b) to provide the address of the DoD Inspector General office designated to receive such information. In addition, the rule makes a correction to the address of the DoD Inspector General office shown at 203.1004(b).

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

B. Regulatory Flexibility Act

This rule will not have a significant cost or administrative impact on contractors or offerors, or a significant effect beyond the internal operating procedures of DoD. Therefore, publication for public comment under 41 U.S.C. 418b is not required. However, DoD will consider comments from small entities concerning the affected DFARS subpart in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 2009-D001.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 203

Government procurement.

Amy G. Williams,

Defense Federal Acquisition Regulations System.

■ Therefore, 48 CFR Part 203 is amended as follows:

PART 203—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

■ 1. The authority citation for 48 CFR Part 203 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

■ 2. Section 203.1003 is added to read as follows:

203.1003 Requirements.

(b) *Notification of possible contractor violation.* Upon notification of a possible contractor violation of the type described in FAR 3.1003(b), coordinate the matter with the following office: DoD Inspector General, Investigative Policy and Oversight, Contractor Disclosure Program, 400 Army Navy Drive, Suite 1037, Arlington, VA 22202-4704; Toll-Free Telephone: 866-429-8011.

203.1004 [Amended]

■ 3. Section 203.1004 is amended in paragraph (b)(2)(ii) by removing “Washington, DC 22202-2884” and adding in its place “Arlington, VA 22202-4704”.

[FR Doc. E9-25066 Filed 10-16-09; 8:45 am]

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DEPARTMENT OF DEFENSE**Defense Acquisition Regulations System****48 CFR Parts 225 and 252**

RIN 0750-AG33

Defense Federal Acquisition Regulation Supplement; Restriction on Research and Development—Deletion of Obsolete Text (DFARS Case 2009-D005)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to remove obsolete text addressing a restriction on awards to foreign entities for DoD research and development. The restriction implemented a statutory provision that is no longer in effect.

DATES: *Effective Date:* October 19, 2009.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, Defense Acquisition Regulations System, OUSD (AT&L) DPAP (DARS), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone 703-602-0328; facsimile 703-602-7887. Please cite DFARS Case 2009-D005.

SUPPLEMENTARY INFORMATION:**A. Background**

This final rule removes DFARS 225.7016, Restriction on Research and Development, since the underlying statutory provision (Section 744 of the DoD Appropriations Act for Fiscal Year

1973 (Pub. L. 92-570)) is no longer in effect. Section 744 of Public Law 92-570 prohibited the use of DoD appropriations to make an award to any foreign corporation, organization, person, or entity, for research and development in connection with any weapon system or other military equipment, if a U.S. corporation, organization, person, or entity was equally competent and willing to perform at a lower cost.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

B. Regulatory Flexibility Act

This rule will not have a significant cost or administrative impact on contractors or offerors, or a significant effect beyond the internal operating procedures of DoD. Therefore, publication for public comment under 41 U.S.C. 418b is not required. However, DoD will consider comments from small entities concerning the affected DFARS subparts in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 2009-D005.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 225 and 252

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

■ Therefore, 48 CFR Parts 225 and 252 are amended as follows:

■ 1. The authority citation for 48 CFR Parts 225 and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

PART 225—FOREIGN ACQUISITION**225.7016 [Removed]**

■ 2. Section 225.7016 is removed.

225.7017, 225.7017-1, 225.7017-2, 225.7017-3, and 225.7017-4 [Redesignated]

■ 3. Sections 225.7017, 225.7017-1, 225.7017-2, 225.7017-3, and 225.7017-4 are redesignated as sections 225.7016, 225.7016-1, 225.7016-2, 225.7016-3, and 225.7016-4 respectively.

225.7016-3 [Amended]

■ 4. Newly designated section 225.7016-3 is amended in paragraph (b), in the second sentence, by removing “225.7017-3” and adding in its place “225.7016-3”.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**252.225-7018 [Amended]**

■ 5. Section 252.225-7018 is amended in the introductory text by removing “225.7017-4” and adding in its place “225.7016-4”.

[FR Doc. E9-25067 Filed 10-16-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Pipeline and Hazardous Materials Safety Administration****49 CFR Parts 172 and 174**

[RSPA Docket No. 2006-26322 (HM-206F)]

RIN 2137-AE21

Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Final rule.

SUMMARY: In this final rule, PHMSA is amending the Hazardous Materials Regulations to clarify requirements governing emergency response information services provided by arrangement with hazardous materials offerors (shippers). In order to preserve the effectiveness of these arrangements for providing accurate and timely emergency response information, PHMSA is requiring basic identifying information (offeror name or contract number) to be included on shipping papers. This information will enable the emergency response information provider to identify the offeror on whose behalf it is accepting responsibility for providing emergency response information in the event of a hazardous materials incident and obtain additional information about the hazardous material as needed.

DATES: *Effective Date:* The effective date of this final rule is November 18, 2009.

Voluntary Compliance Date: PHMSA is authorizing immediate voluntary compliance beginning November 18, 2009.

FOR FURTHER INFORMATION CONTACT: Joan McIntyre, Office of Hazardous Materials