

Authority: 33 U.S.C 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.680 is revised to read as follows:

§ 117.680 Industrial Seaway Canal.

The draw of the Lorraine-Cowan Road Bridge across the Industrial Seaway Canal, mile 11.3, need not be opened from 6:30 a.m. to 8:30 a.m. and from 4:30 p.m. to 6 p.m., Monday through Friday, except Federal holidays.

Dated: May 21, 1997.

Paul J. Prokop,

Captain, U.S. Coast Guard, Commander, Eighth Coast Guard District, Acting.

[FR Doc. 97–15286 Filed 6–10–97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CG11–90–03]

RIN–2115–A47

Drawbridge Operation Regulations; Cerritos Channel, CA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule; change of effective date.

SUMMARY: At the request of the Port of Los Angeles, the Coast Guard is temporarily extending the effective date for the temporary change to the regulation for operation of the Henry Ford Avenue Railroad Bridge (Ford Bridge), across Cerritos Channel of Los Angeles/Long Beach, mile 4.8 Long Beach, California to authorize it to remain in the closed to navigation position for an additional period from July 1 to October 2, 1997. The action is necessary both to facilitate reconstruction of the bridge and to avoid disrupting essential rail service during reconstruction. The closure period was most recently established as February 1 to June 30, 1997; however, the project has been delayed, and the closure actually began on May 6, 1997.

EFFECTIVE DATES: This temporary final rule is effective from June 30 through October 2, 1997.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of Commander (Pow), Eleventh Coast Guard District, Building 50–6, Coast Guard Island, Alameda, CA 94501–5100 between 7 a.m. and 4 p.m., Monday through Friday, except Federal

holidays. The telephone number is (510) 437–3514. Commander (Pow) maintains the public docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT: Susan Worden, Bridge Administrator, Eleventh Coast Guard District, (510) 437–3514.

SUPPLEMENTARY INFORMATION:

Regulatory History

On August 28, 1990, the Coast Guard published a notice of proposed rulemaking NPRM in the **Federal Register** (55 FR 35154) concerning closure of the Henry Ford Avenue Railroad Bridge (Ford Bridge), across Cerritos Channel of Los Angeles/Long Beach, mile 4.8 Long Beach, California, for rehabilitation. On July 8, 1996, the Coast Guard published a supplemental notice of proposed rulemaking (SNPRM) in the **Federal Register** (61 FR 35702) concerning closure of the bridge for replacement. On November 20, 1996 the Coast Guard published a Temporary Final Rule in the **Federal Register** (61 FR 59025) changing the bridge operation regulation, allowing closure during replacement. On May 6, 1997, the Captain of the Port issued a safety zone (COTP Los Angeles-Long Beach, CA; 97–002; 33 CFR § 165.T11–057) prohibiting general navigation in a defined regulated area around the bridge during replacement.

Background and Purpose

At the request of the Port of Los Angeles, the Coast Guard is extending the closure period for the Ford Bridge replacement project because the project is behind schedule. The Ford Bridge, also known as the Badger Avenue Bridge, provides the only rail access to Terminal Island. It crosses a waterway used by oceangoing cargo ships, tugs and barges, tour boats, commercial fishing vessels, and recreational boats. The permanent regulations governing its operation require the bridge to remain fully open except for the passage of trains or for maintenance.

The bridge is over 70 years old and no longer meets California seismic standards or Federal Railroad Administration clearance standards. Interruption or delay of rail and water traffic is likely if the existing bridge were either to malfunction or to be damaged by seismic activity. In 1995, the Coast Guard issued a permit to replace the bridge. Replacement cannot be accomplished without closing the bridge span for a period of five months. Closure of the bridge will require maritime traffic to use an alternate route through the outer harbor. Detours of 5 miles are expected; maximum detours of

10 miles may be experienced. The short term costs attributable to these detours are outweighed by the long-term benefits to be gained by the installation of a new bridge likely to provide uninterrupted rail service and timely, reliable openings for waterborne traffic for many years.

This temporary rule extends the effective date of the previously issued temporary rule authorizing a five month (150 day) closure of the bridge. Closure for 5 months is necessary both to facilitate replacement of the span and reconstruction of the bridge support towers, as well as to avoid disrupting essential rail service during reconstruction. The SNPRM advertised a closure beginning in November 1996. Due to construction delays, the temporary final rule established the change in operating regulation effective February 1, 1997. Additional construction delays were experienced and actual closure of the span did not begin until May 6, 1997, necessitating this extension of the effective period.

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 been exempted from review by the Office of Management and Budget under that order. It is not significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11040, February 26, 1979). The Coast Guard previously calculated the expected economic impact of this rule to be approximately \$1 million to waterways users (to detour around the work site) and \$2.5 million to the bridge owner (to expedite work). Although the current extension may cause these figures to be elevated, the Coast Guard estimates that they remain below the threshold levels requiring a formal Regulatory Evaluation. (Since the original figures contemplate detours around the work site, the additional economic impact of the safety zone is marginal.) The draft economic analysis published with the NPRM was superseded by a more detailed economic analysis in the Environmental Impact Statement, which is available in the docket for inspection or copying where indicated under **ADDRESSES**.

Small Entities

Under the Regulatory flexibility Act (5 U.S.C. 601 *et seq.*) the Coast Guard must consider whether this rule 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 population of less than 50,000. The estimated cost to each recreational mariner affected by this extended regulation and the safety zone is less than \$100. The estimated cost per "small business" towing company for personnel hours and fuel consumption during detours remains less than \$100,000. Because the impact of this proposal is expected to be limited and of relatively short duration, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) 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

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this rule. The Coast Guard prepared an Environmental Impact Statement for the replacement of this historic bridge. The EIS analyzed the environmental and economic impact of a 5 month bridge closure. The draft Environmental Assessment published with the NPRM has been superseded by the more detailed environmental analysis in the Final EIS, which is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR Part 117 as follows:

PART 117—[AMENDED]

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; and 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

§ 117.147 [Amended]

2. Effective June 30, 1997 through October 2, 1997, § 117.147 is amended by suspending paragraph (b) and revising paragraph (c) to read as follows:

§ 117.147 Cerritos Channel

* * * * *

(c) During the period June 30, 1997 through October 2, 1997, the bridge will be undergoing reconstruction and the draw need not open for the passage of vessels.

Dated: May 29, 1997.

J.C. Card,

Vice Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 97–15284 Filed 6–10–97; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1256

RIN 3095–AA55

Domestic Distribution of United States Information Agency Materials in the Custody of the National Archives

AGENCY: National Archives and Records Administration.

ACTION: Final rule.

SUMMARY: The National Archives and Records Administration (NARA) is issuing regulations which govern the domestic distribution of USIA materials prepared for dissemination abroad that are in the custody of NARA. Public Law 101–246, section 202, requires the Archivist of the United States to issue necessary regulations to ensure that persons seeking release of such USIA materials in the United States have secured and paid for necessary rights and licenses. This rule affects members of the public who wish to use or obtain copies of USIA audiovisual records transferred to NARA.

EFFECTIVE DATE: July 11, 1997.

FOR FURTHER INFORMATION CONTACT: Nancy Allard at 301–713–7360, extension 226.

SUPPLEMENTARY INFORMATION: NARA published a proposed rule for public comment on January 31, 1997 (62 FR 4669). No comments were received. The proposed rule is adopted as final without change.

On February 16, 1990, Public Law 101–246 (104 Stat. 49) amended the United States Information and Educational Exchange Act (22 U.S.C. 1461) to provide for the domestic release of motion pictures, videotapes, sound recordings and other materials 12

years after initial dissemination abroad, or, if not disseminated, 12 years from the preparation of the material. Previously, section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) had prevented the domestic dissemination by the United States Information Agency of such materials prepared for dissemination abroad in perpetuity unless specifically and individually released by Congressional legislation. The amended law allows release and dissemination once the 12-year threshold has been met and instructs NARA to provide regulations to ensure that any copyrights or underlying rights that may exist in these USIA materials have been protected and releases obtained prior to dissemination in the United States. For the public this amended law provides access and potential use of over 35,000 USIA motion picture films, 3,000 USIA videotape productions, and over 20,000 sound recordings of Voice of America (VOA) radio broadcasts that have been selected as permanently valuable audiovisual records and have been transferred into the custody of the Motion Picture, Sound and Video Branch of NARA. These regulations only apply to USIA records in NARA's custody that were prepared for dissemination abroad.

This final rule is not a significant regulatory action for purposes of Executive Order 12866 of September 30, 1993, and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small entities. This rule does not contain any information collections subject to the Paperwork Reduction Act. This rule is not a major rule as defined in 5 U.S.C. chapter 8, Congressional Review of Agency Rulemaking.

List of Subjects in 36 CFR Part 1256

Archives and records, Copyright, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, part 1256 of title 36, Chapter XII of the Code of Federal Regulations is amended as follows:

PART 1256—RESTRICTIONS ON THE USE OF RECORDS

1. The authority citation for Part 1256 is revised to read as follows:

Authority: 44 U.S.C. 2101–2118; 22 U.S.C. 1461(b).

2. A new subpart C, consisting of §§ 1256.50 through 1256.60, is added to part 1256 as follows: