

from the date of filing the SARC. Supporting documentation shall be identified as such and maintained by the reporting casino, and shall be deemed to have been filed with the SARC. A reporting casino shall make all supporting documentation available to FinCEN and any other appropriate law enforcement agencies or federal, state, local, or tribal gaming regulators upon request.

(d) *Confidentiality of reports; limitation of liability.* No casino, and no director, officer, employee, or agent of any casino, who reports a suspicious transaction under this part, may notify any person involved in the transaction that the transaction has been reported. Thus, any person subpoenaed or otherwise requested to disclose a SARC or the information contained in a SARC, except where such disclosure is requested by FinCEN or another appropriate law enforcement or regulatory agency, shall decline to produce the SARC or to provide any information that would disclose that a SARC has been prepared or filed, citing this paragraph and 31 U.S.C. 5318(g)(2), and shall notify FinCEN of any such request and its response thereto. A reporting casino, and any director, officer, employee, or agent of such reporting casino, that makes a report pursuant to this section (whether such report is required by this section or made voluntarily) shall be protected from liability for any disclosure contained in, or for failure to disclose the fact of, such report, or both, to the extent provided by 31 U.S.C. 5318(g)(3).

(e) *Compliance.* Compliance with this section shall be audited by the Department of the Treasury, through FinCEN, or by delegates of the Department of the Treasury under the terms of the Bank Secrecy Act. Failure to satisfy the requirements of this section may constitute a violation of the reporting rules of the Bank Secrecy Act and of this part.

4. Section 103.54 is amended by:
a. Revising paragraph (a)(2)(ii),
b. Removing the word "hereafter" in paragraph (a)(2)(iii); and
c. Revising paragraph (a)(2)(v)(B).
The revised paragraphs read as follows:

§ 103.54 Special rules for casinos.

(a) *Compliance programs.* * * *
(2) * * *
(ii) Annual internal and/or external independent testing of compliance, including, without limitation, an annual statement whether internal controls and procedures are working effectively to detect and report suspicious transactions of \$3,000 or more, and

currency transactions of more than \$10,000, to the proper authorities, as required by this part, and to comply with the recordkeeping and compliance program standards of this part;

* * * * *

(v) * * *

(B) The occurrence of any transactions or patterns of transactions required to be reported pursuant to § 103.21, including, without limitation, any transactions or patterns of transactions indicated by accounts or records maintained by a casino to record or monitor customer activity.

* * * * *

Dated: May 12, 1998.

William F. Baity,

Acting Director, Financial Crimes Enforcement Network.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-97-134]

RIN 2115-AE47

Drawbridge Operation Regulations; Passaic River, NJ

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating rules for the I-280 Bridge (Stickel Memorial), mile 5.8, over the Passaic River at Harrison, New Jersey, to allow the bridge to remain closed to navigation. The District Commander, upon six months notice, may require that the bridge be restored to full operational status.

The bridge owner, the New Jersey Department of Transportation (NJDOT), has requested that the Coast Guard consider a change to the operating regulations for the Route 280 Bridge. There have been only 8 requests to open the Route 280 Bridge since 1987; therefore, the Coast Guard proposed to change the operating regulations for this bridge under § 117.39, which allows closure of a drawbridge due to infrequent use.

Additionally, as part of this proposal, the Coast Guard is correcting an error in this regulation regarding the mile point of the Route 7 (Rutgers Street) Bridge. The Route 7 Bridge Listed at mile 6.9 in the existing regulation should be listed at mile 8.9.

This proposed rule, if adopted, is expected to relieve NJDOT of the

requirement to crew the Route 280 Bridge and correct an error in this regulation.

DATES: Comments must be received by the Coast Guard on or before July 17, 1998.

ADDRESSES: You may mail comments to Commander (obr), First Coast Guard District, 408 Atlantic Avenue, Boston, MA. 02110-3350, or deliver them to the same address between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 233-8364. The First Coast Guard District Bridge Branch maintains the public docket for this rulemaking. Comments and documents as indicated in this preamble will become part of this docket and will be available for inspection or copying at the above address 7 a.m. to 3 p.m. Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John W. McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

Request for Comments

The Coast Guard encourages interested persons to participate in this matter by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD01-97-134) and specific section of this proposal to which their comments apply, and give reasons for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in response to comments received. The Coast Guard does not plan to hold a public hearing; however, persons may request a public hearing by writing to the Coast Guard at the address listed under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a subsequent notice published in the **Federal Register**.

Background

The Route 280 Bridge, mile 5.8, at Harrison, New Jersey, has a vertical clearance of 35 feet at mean high water and 40 feet at mean low water.

The Route 280 Bridge is presently required under § 117.739(h) to open on signal if at least eight (8) hours advance notice is given. There have been only 8 requests to open this bridge since 1987. The bridge owner has requested relief from being required to crew the bridge since there have been so few requests to open the bridge.

Discussion of Proposal

The Coast Guard is considering amending the regulations to require that the bridge need not open for navigation, relieving the bridge owner of the requirement and expense to crew the bridge. Section 117.39 contains the authority for the Coast Guard to issue such regulations and authorizes the Coast Guard to place certain restrictions on the bridge closure. The fact that there have been only 8 requests to open the bridge since 1987 indicates that there is good cause to no longer require the bridge owner to crew the bridge on a regular basis. The Coast Guard, as a part of this proposal, would require that the bridge be maintained in good operable condition in the event there is a need to open the bridge, since the bridge is still a moveable bridge.

The Coast Guard is also correcting an error in this regulation by changing the mile point of the Route 7 Bridge which is listed at 6.9 and correctly should be 8.9. This correction will require that two paragraphs be changed in the order they appear in this regulation as a result of the corrected ascending order of mile points in the regulation text. The Route 7 Bridge will be changed from paragraph (j) to paragraph (k) and the NJTRO Bridge will be changed from (k) to (j).

Regulatory Evaluation

This proposed 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; Feb. 26, 1979). The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that there have been only 8 requests to open this bridge in the last ten years. The Coast Guard believes this proposed rule achieves the requirement of balancing both the needs of navigation and vehicular traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this proposed rule, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000. Therefore, for the reasons discussed in the Regulatory Evaluation section above, the Coast Guard certifies under 5 U.S.C. 605(b) of the Regulatory Flexibility Act that this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

This proposed rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposed rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposed rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under Figure 2-1, paragraph 32(e), of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations have been found not to have a significant effect on the environment. A "Categorical Exclusion Determination" is not required for this proposed rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

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

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. In § 117.739 redesignate paragraphs (j) and (k) as paragraphs (k) and (j) and revise paragraph (h) and newly redesignated (k) to read as follows:

§ 117.739 Passaic River.

* * * * *

(h) The Route 280 Bridge, mile 5.8, at Harrison, New Jersey, need not open for the passage of vessels. The operating machinery of the draw shall be maintained in serviceable condition and the draw operated at sufficient intervals to assure satisfactory operation. The bridge shall be restored to full operational status upon six months notice from the District Commander should the needs of navigation change to require the bridge to open for the passage of vessels.

* * * * *

(k) The draw of the Route 7 (Rutgers Street) Bridge, mile 8.9, at Belleville, shall open on signal if at least four hours notice is given.

* * * * *

Dated: April 18, 1998.

R.M. Larrabee,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-97-098]

RIN 2115-AE47

Drawbridge Operation Regulations: Taunton River, MA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating rules for the Brightman Street Bridge, mile 1.8, over the Taunton River between Somerset and Fall River, Massachusetts.

The bridge owner, Massachusetts Highway Department (MHD), has requested that the Coast Guard consider a change to the operating regulations for the Brightman Street Bridge to require the bridge to open on signal; except,