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**Monday,
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Part IX

**Department of
Homeland Security**

Semiannual Regulatory Agenda

DEPARTMENT OF HOMELAND SECURITY (DHS)

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Chs. I and II

[DHS Docket No. OGC-RP-03-001]

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Office of the Secretary, DHS.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice is given pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, September 19, 1980) and Executive Order (E.O.) 12866, "Regulatory Planning and Review" (September 30, 1993), which require the publication of a semiannual agenda of regulations by the Department of Homeland Security (Department or DHS). The regulatory agenda is a semiannual summary of all current and projected rulemakings, and completed actions of the Department. This is the Department's second semiannual agenda and first regulatory plan. Under the Homeland Security Act of 2002, Public Law 107-295 (Homeland Security Act), 22 preexisting agencies or components transferred to DHS.

Although DHS is new, many of its components had active regulatory agendas, such as the legacy Immigration

and Nationalization Service (INS), which has been divided into the Bureau of Citizenship and Immigration Services, the Bureau of Immigration and Customs Enforcement, and the Bureau of Customs and Border Protection. Together, the latter components alone comprise half of the DHS regulatory agenda. The legacy INS rulemakings primarily set forth application or other process standards for obtaining benefits, privileges, or other attributes afforded to visa or citizen holders. Other DHS components, such as the U.S. Coast Guard and Transportation Security Administration, have regulatory functions rooted in promulgating safety or security standards. The new Department, considered the most significant transformation of the U.S. Government in over a half-century, continues to transform and realign the current confusing patchwork of Government activities into a single department. Its' greatest regulatory challenge is melding the variant regulatory practices into one centralized regulatory agency embracing the "best practices" of each of its components.

The DHS agenda provides the public with information about the Department's regulatory practices. It is expected that this information will enable the public to more effectively participate in the Department's regulatory activities. The public is also

invited to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:

General -

You should direct all comments and inquiries on the agenda in general to Laticia Argenti, Deputy Associate General Counsel for Regulations, Office of the General Counsel, Department of Homeland Security, Washington, DC 20528.

Specific -

You should direct all comments and inquiries on the particular items in the agenda to the individual listed for the regulation or the general rulemaking contact person for the DHS components.

SUPPLEMENTARY INFORMATION: The semiannual agenda of the Department conforms to the Unified Agenda format developed by the Regulatory Information Service Center.

This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. DHS' Statement of Regulatory Priorities is included in part II.

Dated: October 29, 2003.

Laticia Argenti,
Deputy Associate General Counsel for Regulations.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1180	Procedures for Handling Critical Infrastructure Information	1601-AA14
1181	Supplemental Standards of Conduct for Employees of the Department of Homeland Security	1601-AA17

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1182	Freedom of Information Act and Privacy Act Procedures	1601-AA00
1183	Production or Disclosure of Official Information in Connection With Legal Proceedings	1601-AA01
1184	Regulations Implementing the Support Antiterrorism by Fostering Effective Technologies Act of 2002	1601-AA15
1185	Homeland Security Acquisition Regulation (HSAR)	1601-AA16

DHS

Bureau of Citizenship and Immigration Services—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1304	Reduced Course Load for Certain F and M Nonimmigrant Students at Border Communities	1615-AA79
1305	Denial and Revocation for Approval of School for Attendance by Nonimmigrant Students	1615-AA85
1306	Readjustment of Immigration Benefit Application Fees	1615-AA97
1307	Conditions on Nonimmigrant Status; Disclosure of Information	1615-AA98
1308	Authorizing Suspension of Employment Authorization Requirements on the Basis of Severe Economic Hardship for F-1 Students and Emergent Circumstances	1615-AA99
1309	Temporary Protected Status (TPS) Notices	1615-AB06
1310	Extension of Validity Period of Approved Form I-600A, Application for Advance Processing of Orphan Petitions ...	1615-AB07
1311	Extension of the Designation of Burundi Under Temporary Protected Status (TPS) Program	1615-AB16

U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1312	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035)	1625-AA03
1313	Post Casualty Drug and Alcohol Testing (USCG-2001-8773)	1625-AA27
1314	Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (USCG-2001-10486)	1625-AA32
1315	Marine Events: Permit Procedures (USCG-2001-10713)	1625-AA35
1316	Traffic Separation Schemes: In the Strait of Juan De Fuca and Its Approaches; In Puget Sound and Its Approaches; In Haro Strait, Boundary Pass, and in the Strait of Georgia (USCG-2002-12702)	1625-AA48
1317	Protection for Whistleblowers in the Coast Guard (USCG-2002-13016)	1625-AA50
1318	Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade; Second Rulemaking (USCG-2003-14472)	1625-AA63
1319	Administrative Changes To Numbering of Vessels and Reporting of Casualties (USCG-2003-14963)	1625-AA70
1320	Terms Imposed by States on Numbering of Vessels (USCG-2003-15708)	1625-AA75
1321	Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico (CDG08-03-028)	1625-AA76
1322	Commercial Fishing-Industry Vessels (USCG-2003-16158)	1625-AA77

U.S. Coast Guard—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1323	Safety and Security Zone Regulations	1625-AA00
1324	Special Anchorage Areas/Anchorage Grounds Regulations	1625-AA01
1325	Reporting Marine Casualties (USCG-2000-6927)	1625-AA04
1326	State Access to the Oil Spill Liability Trust Fund (CGD 92-014)	1625-AA06
1327	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (USCG-1998-4302)	1625-AA07
1328	Regatta and Marine Parade Regulations	1625-AA08
1329	Drawbridge Regulations	1625-AA09
1330	Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (USCG-1998-4623)	1625-AA17
1331	Outer Continental Shelf Activities (USCG-1998-3868)	1625-AA18
1332	Deepwater Ports (USCG-1998-3884)	1625-AA20
1333	Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, Alaska (CGD-1799-002)	1625-AA23
1334	Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions (USCG-2001-8661)	1625-AA26
1335	Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade (USCG-2001-8825)	1625-AA28
1336	Update of Rules on Aids to Navigation Affecting Buoys, Sound Signals, International Rules at Sea, Communications Procedures, and Large Navigational Buoys (USCG-2001-10714)	1625-AA34
1337	Rates for Pilotage on the Great Lakes (USCG-2002-11288)	1625-AA38
1338	Notifications of Arrival and Departure in Ports or Places in the United States (USCG-2001-11865)	1625-AA41
1339	Penalties for Nonsubmission of Ballast Water Management Reports (USCG-2002-13147)	1625-AA51
1340	Mandatory Ballast Water Management Program for U.S. Waters (USCG-2003-14273)	1625-AA52
1341	Country of Origin Codes and Revision of Regulations on Hull Identification Numbers (USCG-2003-14272)	1625-AA53

DHS

U.S. Coast Guard—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1342	Allowing Alternatives To Incandescent Lights, and Establishing Standards for New Lights, in Private Aids To Navigation (USCG–2000–7466)	1625–AA55
1343	Alternate Hull Examination Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels (USCG–2000–6858)	1625–AA57
1344	Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard (USCG 1998–3472)	1625–AA59
1345	Fire-Suppression Systems and Voyage Planning for Towing Vessels (USCG 2000–6931)	1625–AA60
1346	Approval for Experimental Shipboard Installations of Ballast Water Treatment Systems (USCG–2001–9267)	1625–AA66
1347	Civil Monetary Penalties-Adjustments for Inflation (USCG–2003–15486)	1625–AA73

U.S. Coast Guard—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1348	Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90–068)	1625–AA02
1349	Escort Vessels for Certain Tankers (CGD 91–202)	1625–AA05
1350	Escort Vessels in Certain U.S. Waters (CGD 91–202a)	1625–AA10
1351	Regulated Navigation Areas	1625–AA11
1352	Marine Transportation-Related Facility Response Plans for Hazardous Substances (USCG–1999–5705)	1625–AA12
1353	Tank Vessel Response Plans for Hazardous Substances (USCG–1998–4354)	1625–AA13
1354	Numbering of Undocumented Barges (USCG–1998–3798)	1625–AA14
1355	Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification, and Watchkeeping (STCW) for Seafarers, 1978 (CGD 95–062)	1625–AA16
1356	Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil (USCG–1998–3417)	1625–AA19
1357	Commercial Diving Operations (USCG–1998–3786)	1625–AA21
1358	Improvements to Maritime Safety in Puget Sound-Area Waters (USCG–1998–4501)	1625–AA22
1359	Training and Qualifications for Personnel on Passenger Ships (USCG 1999–5610)	1625–AA24
1360	Cargo Securing on Vessels Operating in U.S. Waters (USCG–2000–7080)	1625–AA25
1361	Electronic Chart Display and Information System (ECDIS) (USCG–2001–8826)	1625–AA29
1362	Federal Requirements for Propeller Injury Avoidance Measures (USCG 2001–10163)	1625–AA31
1363	Drawbridge Operations Regulations; Revisions (USCG–2001–10881)	1625–AA36
1364	Alternate Tonnage Convention: Small Passenger Vessels	1625–AA37
1365	Wearing of Personal Flotation Devices by Persons Operating or Riding on Personal Watercraft or Being Towed Behind Recreational Vessels (USCG–2002–11421)	1625–AA40
1366	Identification Credentials for Maritime Security	1625–AA47
1367	Vessel Traffic Service Lower Mississippi River (USCG–1998–4399)	1625–AA58
1368	Wearing of Personal Flotation Devices (PFDs) by Certain Children Aboard Recreational Vessels (USCG–2000–8589)	1625–AA62
1369	Escort Vessels for Certain Tankers-Crash Stop Criteria (USCG–2003–14734)	1625–AA65

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identification Number
1370	Licensing and Manning for Officers of Towing Vessels (USCG 1999–6224)	1625–AA15
1371	Territorial Seas, Navigable Waters, and Jurisdiction (USCG–2001–9044)	1625–AA30
1372	Area Maritime Security (USCG–2003–14733)	1625–AA42
1373	Facility Security (USCG–2003–14732)	1625–AA43
1374	Vessel Security (USCG–2003–14749)	1625–AA46
1375	Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico in Viasca Knoll 915 (CGD08–02–045)	1625–AA54
1376	Automatic Identification System; Vessel Carriage Requirement (USCG–2003–14757)	1625–AA67
1377	Outer Continental Shelf Facility Security (USCG–2003–14759)	1625–AA68
1378	Implementation of National Maritime Security Initiatives (USCG–2003–14792)	1625–AA69
1379	Right To Appeal; Director, Great Lakes Pilotage (USCG–2003–15137)	1625–AA71
1380	Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico in Mississippi Canyon 243	1625–AA72

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U.S. Coast Guard—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1381	Basic Rates and Charges on Lake Erie and the Navigable Waters From Southwest Shoal to Port Huron, MI (USCG-2002-12840)	1625-AA74

Bureau of Customs and Border Protection—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1382	Inspection of Persons Applying for Admission; International-to-International User Fee	1651-AA03
1383	Documentary Requirements for Returning Residents	1651-AA09
1384	Contracts With Transportation Lines	1651-AA10
1385	Imposition of Fines for Violations of the Immigration and Nationality Act	1651-AA12
1386	Adjustment of Fees for Dedicated Commuter Lanes and Secure Electronic Network for Travelers' Rapid Inspection (SENTRI) Programs at Land Border Ports of Entry	1651-AA16
1387	Visa Waiver Program: Guam Visa Waiver Program	1651-AA17
1388	Examination of In-Transit Mail Shipments	1651-AA34
1389	Advance Notice Requirements for Aircraft Landings and Arrivals; Revisions to the Private Aircraft Overflight Program	1651-AA41
1390	Prior Disclosure and Lost Duty or Revenue Demands When Penalty Claim Not Issued	1651-AA42
1391	Manifest Discrepancy Reports	1651-AA45
1392	Publication of Administrative Forfeiture Notices	1651-AA48

Bureau of Customs and Border Protection—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1393	Fees for Participation in Dedicated Commuter Lanes at Selected Ports of Entry; Collection of Fees Under the Dedicated Commuter Lane Program	1651-AA01
1394	Suspension of Privilege To Transport Aliens to the United States	1651-AA05
1395	Establishment of Preinspected Automated Lane (PAL) Program	1651-AA06
1396	Amendment of the Regulatory Definition of Arriving Alien	1651-AA07
1397	Elimination of Immigration and Naturalization Service-Issued Mexican and Canadian Border Crossing Cards	1651-AA08
1398	Extension of 25-Mile Limit at Select Arizona Ports-of-Entry	1651-AA11
1399	Expansion of Dedicated Commuter Lanes; Clarification of Driver's License Requirement for Applicants to Dedicated Commuter Lanes and Automated Permit Port Programs	1651-AA13
1400	Update of List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without Visa (TWOV) Privileges to the United States Under the TWOV Program	1651-AA14
1401	Adding Colombia to the List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without Visa (TWOV) Privileges to the United States Under the TWOV Program	1651-AA15
1402	Removing Russia From the List of Countries Whose Citizens or Nationals Are Ineligible for Transit Without Visa (TWOV) Privileges to the United States Under the TWOV Program	1651-AA18
1403	Removal of Visa and Passport Waiver for Certain Permanent Residents of Canada and Bermuda	1651-AA23
1404	Posting of Security Guard at Gangway of Vessel for Detaining Alien Crewman	1651-AA24
1405	Electronic Arrival-Departure Manifest for Visa Waiver Program	1651-AA25
1406	Removing Indonesia and Malaysia from the Guam Visa Waiver Program	1651-AA26
1407	Automated Inspection Services-Extension of Enrollment Period	1651-AA27
1408	Nonimmigrant Visa Exemption for Nationals of the British Virgin Islands Entering the United States Through St. Thomas, U.S. Virgin Islands	1651-AA29
1409	Patent Surveys	1651-AA36
1410	Passenger and Crew Manifests For Arriving and Departing Vessels and Aircraft	1651-AA37
1411	Access to Customs Security Areas at Airports	1651-AA38
1412	Conditional Release Period and Customs Bond Obligations For Food, Drugs, Devices, and Cosmetics	1651-AA39
1413	Passenger Name Record Information Required For Passengers on Flights in Foreign Air Transportation to or From the United States	1651-AA40
1414	Customs Broker License Examination Dates	1651-AA46
1415	Confidentiality of Commercial Information	1651-AA47

DHS—BCIS

Completed Actions

Additional Information: CIS No. 2292–03

Agency Contact: Jonathan Mills, Adjudications Officer, Department of

Homeland Security, Bureau of Citizenship and Immigration Services, 425 I Street NW., Washington, DC 20536

Phone: 202 514–4754
Email: jonathan.mills@dhs.gov

RIN: 1615–AB16

**Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)**

Proposed Rule Stage

1312. CLAIMS PROCEDURES UNDER THE OIL POLLUTION ACT OF 1990 (CGD 91–035)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2713; 33 USC 2714

CFR Citation: 33 CFR 136

Legal Deadline: None

Abstract: This rulemaking implements section 1013 (Claims Procedures) and section 1014 (Designation of Source and Advertisement) of the Oil Pollution Act of 1990. The interim rule provides the requirements for the filing of claims for uncompensated removal costs or damages resulting from the discharge of oil, for the designation of the sources of the discharge, and for the advertisement of where claims are to be filed. The interim rule also included the processing of natural resource damage (NRD) claims. The NRD claims, however, were not processed until September 25, 1997, when the Department of Justice issued an opinion that the Oil Spill Liability Trust Fund (OSLTF) is available without further appropriation to pay trustee NRD claims under the general claims provisions of the Oil Pollution Act (OPA) of 1990, 33 U.S.C. 2712(a)(4). Release of the more comprehensive notice of proposed rulemaking has been delayed while the Coast Guard gained experience on NRD claims, as well as other OPA damages. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/12/92	57 FR 36314
Correction	09/09/92	57 FR 41104
Interim Final Rule	12/10/92	
Comment Period End		
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Federal, Local, State, Tribal

Additional Information: Transferred from RIN 2115–AD90

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Edward A. Blackadar Jr., Project Manager, National Pollution Fund Center, Department of Homeland Security, U.S. Coast Guard, Suite 1000, 4200 Wilson Boulevard, Arlington, VA 22203–1804
Phone: 202 493–6843

RIN: 1625–AA03

1313. POST CASUALTY DRUG AND ALCOHOL TESTING (USCG–2001–8773)

Priority: Other Significant

Legal Authority: PL 105–383, sec 304

CFR Citation: 46 CFR 4

Legal Deadline: None

Abstract: This project will revise the requirements for chemical testing following a serious marine incident. The revision will establish procedures to ensure that alcohol testing be conducted within two hours of a serious marine incident, as required by the Coast Guard Authorization Act of 1998. The rule will also make additional minor procedural changes to the part. This rule supports the Coast Guard strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	02/28/03	68 FR 9622
NPRM Comment Period End	06/30/03	
Notice of Public Meeting; Reopening of Comment Period	08/25/03	68 FR 50992
NPRM; Reopening of Comment Period	10/21/03	68 FR 60073
Comment Period End	11/20/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local, State

Additional Information: Transferred from RIN 2115–AG07

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Robert C. Schoening, Project Manager, G–MOA–1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW, Room 2406, Washington, DC 20593–0001
Phone: 202 267–0684
Email: rschoening@comdt.uscg.mil

RIN: 1625–AA27

1314. STANDARDS FOR LIVING ORGANISMS IN SHIPS' BALLAST WATER DISCHARGED IN U.S. WATERS (USCG–2001–10486)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 4711

CFR Citation: 33 CFR 151

Legal Deadline: None

Abstract: This rulemaking would add a performance standard to 33 CFR part 151, subpart D, for all ballast water treatment methods being used as alternatives to midocean ballast water exchange. It supports the Coast Guard's strategic goals of marine safety and protection of natural resources. This project is significant due to high interest among several Federal and State agencies.

Timetable:

Action	Date	FR Cite
ANPRM	03/04/02	67 FR 9632
ANPRM Comment Period End	06/03/02	
NPRM	09/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

DHS—USCG

Proposed Rule Stage

Additional Information: Transferred from RIN 2115-AG21

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Dr. Richard Everett, Project Manager, Department of Homeland Security, U.S. Coast Guard, Office of Operating & Environmental Standards (G-MSO), 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-2243

RIN: 1625-AA32

1315. MARINE EVENTS: PERMIT PROCEDURES (USCG-2001-10713)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1233

CFR Citation: 33 CFR 100

Legal Deadline: None

Abstract: This rule would revise Coast Guard procedures to expedite approval of organized marine events conducted on the navigable waters of the United States. These new procedures would establish general permits with nationwide or regional applicability and would encourage sponsors to submit information to the Coast Guard by electronic means. These new procedures would reduce the paperwork burden on both the public and the Coast Guard without adversely affecting vessel safety or the environment in the event areas. This project supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG26

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA35

1316. TRAFFIC SEPARATION SCHEMES: IN THE STRAIT OF JUAN DE FUCA AND ITS APPROACHES; IN PUGET SOUND AND ITS APPROACHES; IN HARO STRAIT, BOUNDARY PASS, AND IN THE STRAIT OF GEORGIA (USCG-2002-12702)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 167

Legal Deadline: None

Abstract: This rulemaking will propose amendments to the existing traffic separation schemes (TSS): in the Strait of Juan de Fuca and its approaches; in Puget Sound and its approaches; in Haro Strait, Boundary Pass, and in the Strait of Georgia. These amendments are approved by the International Maritime Organization and have been validated by several recent vessel routing studies. With the amendments in place, commercial vessels would be routed farther offshore when entering or departing the TSS, providing an extra margin of safety and environmental protection in the Olympic Coast National Marine Sanctuary and adjacent waters. This rulemaking will incorporate the modified TSS into the Code of Federal Regulations. This project supports the Coast Guard's strategic goals of safety and protecting the marine environment.

Timetable:

Action	Date	FR Cite
NPRM	08/27/02	67 FR 54981
NPRM Comment Period End	10/28/02	
Supplemental NPRM	02/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Based on comments received in response to the notice of proposed rulemaking (NPRM), the agency has decided to develop and publish a supplemental NPRM.

Transferred from RIN 2115-AG45

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: George Detweiler, Project Manager G-MWV, Department of Homeland Security, U.S. Coast

Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0574

RIN: 1625-AA48

1317. PROTECTION FOR WHISTLEBLOWERS IN THE COAST GUARD (USCG-2002-13016)

Priority: Substantive, Nonsignificant

Legal Authority: 10 USC 1034

CFR Citation: 33 CFR 53

Legal Deadline: None

Abstract: This rulemaking would amend 33 CFR part 53 both by extending coverage to uniformed members of the Coast Guard who make "protected" communications either to an organization within the Department within which the Coast Guard is operating concerned with audit, inspection, or law enforcement, or to any other person or organization (including any person or organization in the chain of command) designated pursuant to regulations to receive such communications, and by extending the nature of protected communications to comprise complaints: (a) of violations of statute or regulation prohibiting sexual harassment; (b) of unlawful discrimination; and (c) of gross mismanagement. This project supports the Coast Guard's five strategic goals of maritime safety and security, protection of natural resources, maritime mobility, and national defense.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG49

Agency Contact: LT Jason Krajewski, Project Manager, G-LGL, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0064

RIN: 1625-AA50

DHS—USCG

Proposed Rule Stage

1318. VESSEL DOCUMENTATION: LEASE FINANCING FOR VESSELS ENGAGED IN THE COASTWISE TRADE; SECOND RULEMAKING (USCG-2003-14472)**Priority:** Other Significant**Legal Authority:** 14 USC 664; 31 USC 9701; 42 USC 9118; 46 USC 2103; 46 USC 2107; 46 USC 2110; 46 USC 12106; 46 USC 12120; 46 USC 12122; 46 USC app 876**CFR Citation:** 46 CFR 67**Legal Deadline:** None

Abstract: The Coast Guard proposes to amend its regulations on documentation, under the lease-financing provisions, of vessels engaged in the coastwise trade. This rule's provisions would address several issues. One concerns whether the Coast Guard should prohibit or restrict the chartering back of a lease-financed vessel to the parent of the vessel owner or to an affiliate or subsidiary of the parent. The second concerns the question of whether applications for an endorsement under the lease-financing provisions should be reviewed and approved by an independent third party with expertise in vessel chartering. The third concerns limitations on the grandfather provisions. These proposals would amend the final rule (USCG-2001-8825) on vessel documentation under lease financing. This project supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG55

Agency Contact: Patricia Williams, Project Manager, NVDC, Department of Homeland Security, U.S. Coast Guard, National Vessel Documentation Center, 792 T.J. Jackson Drive, Falling Waters, WV 25419
Phone: 304 271-2506

RIN: 1625-AA63**1319. • ADMINISTRATIVE CHANGES TO NUMBERING OF VESSELS AND REPORTING OF CASUALTIES (USCG-2003-14963)****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 9701; 46 USC 2110; 46 USC 4302; 46 USC 4310; 46 USC 6101; 46 USC 6102; 46 USC 12301; 46 USC 12302; 46 USC 12502; PL 100-710; DHS Security Delegation No. 0170.1**CFR Citation:** 33 CFR 173; 33 CFR 174; 33 CFR 181**Legal Deadline:** None

Abstract: This rulemaking would amend the Coast Guard's rules on States' numbering of undocumented vessels and on the reporting of accidents. It would harmonize terminology governing the Standard Numbering System, the Vessel Identification System, and the Casualty or Accident Report to help us collect better data, process them more efficiently, and use them more effectively to prevent boating accidents. This project supports the Coast Guard's strategic goals of maritime safety and maritime security.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Jeanne Timmons, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 205930001
Phone: 202 267-0857

RIN: 1625-AA70**1320. • TERMS IMPOSED BY STATES ON NUMBERING OF VESSELS (USCG-2003-15708)****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 46 USC 12307**CFR Citation:** 33 CFR 174, subpart B**Legal Deadline:** None

Abstract: This rulemaking would expand the number of conditions that a State may require in order for owners to obtain vessel numbering certificates in that State. Current Federal statutes and regulations limit these conditions to proof of ownership or payment of State or local taxes. The proposed rule would allow any State to impose proof of liability insurance as a condition for obtaining vessel numbering certificates in that State. This project supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Audrey Pickup, Project Manager, G-OPB-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0872

RIN: 1625-AA75**1321. • SAFETY ZONE FOR OUTER CONTINENTAL SHELF FACILITY IN THE GULF OF MEXICO (CDG08-03-028)****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 14 USC 85, 43 USC 1333**CFR Citation:** 33 CFR 147**Legal Deadline:** None

Abstract: The Coast Guard proposes the establishment of a safety zone around a petroleum and gas production facility in Green Canyon 645 of the Outer Continental Shelf in the Gulf of Mexico while the facility is being constructed and after the construction is completed. The construction site and facility need to be protected from vessels operating outside the normal shipping channels and fairways, and placing a safety zone around this area would significantly reduce the threat of allisions, oil spills and releases of

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Proposed Rule Stage

natural gas. The proposed rule would prohibit all vessels from entering or remaining in the specified area around the facility's location except for the following: an attending vessel; a vessel under 100 feet in length overall not engaged in towing; or a vessel authorized by the Eighth Coast Guard District Commander. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	09/26/03	68 FR 55557
NPRM Comment Period End	11/25/03	
Final Rule	02/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: LT Kevin Lynn, Commander Eighth District, Department of Homeland Security, U.S. Coast Guard, 501 Magazine Street, New Orleans, LA 70130

Phone: 504 589-6271

RIN: 1625-AA76

1322. • COMMERCIAL FISHING-INDUSTRY VESSELS (USCG-2003-16158)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 46 USC 4502 (a), (d)

CFR Citation: 46 CFR 28

Legal Deadline: None

Abstract: This rulemaking would add new and clarify existing rules for commercial fishing vessels in 46 CFR part 28. It would also establish rules on stability and watertight integrity for fishing vessels under 79 feet in length and institute regulations for the carriage of immersion suits in seasonally cold waters. To improve crew preparedness in case of an emergency, this project would also add requirements such as mandatory logging of already required drills, providing evidence of training, and ensuring that personnel required to

be trained are current in their training. The project would amend 46 CFR part 28 to clarify and improve the consistency of the regulatory language so to aid in vessels compliance with the existing rules. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal, Tribal

Agency Contact: David Beach, Project Manager, G-MOC-3, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0505

RIN: 1625-AA77

**Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)**

Final Rule Stage

1323. SAFETY AND SECURITY ZONE REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 1225; 33 USC 1226; 33 USC 1231; 33 USC 1233; 50 USC 191

CFR Citation: 33 CFR 100; 33 CFR 165

Legal Deadline: None

Abstract: The Coast Guard uses these routine and frequent regulations to establish control of access to areas to ensure the safety or security of events, vessels, waterfront facilities, or individuals. Many of these zones are of short duration, ranging from a few hours to a few days, and all are geographically limited in area. Safety zones are established for events such as fireworks displays, high speed races, or the transit of dangerous cargoes such as explosives or liquefied petroleum gas. Security zones are established for Presidential or Vice Presidential visits, high profile events such as the Olympics, controversial events such as transport of spent nuclear fuel, and in response to the threat of terrorist attacks. Safety and security zones are

promulgated by Captains of the Port or District Commanders. These routine and frequent rulemakings support the Coast Guard's strategic goals of marine safety, mobility, maritime security, and national defense. The total actions expected from November 1, 2003, to October 31, 2004, are 300.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AA97

Agency Contact: James McLeod, Project Manager, G-LRA, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-6233

Email: jmcleod@comdt.uscg.mil

RIN: 1625-AA00

1324. SPECIAL ANCHORAGE AREAS/ANCHORAGE GROUNDS REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 471; 33 USC 2030; 33 USC 2035; 33 USC 2071

CFR Citation: 33 CFR 110

Legal Deadline: None

Abstract: These routine and frequent regulations are established where maritime and commercial interests require them for safety of navigation. Special anchorage areas are areas in which vessels of not more than 65 feet may anchor without displaying the required lights or sound signals. These special anchorage areas are limited geographically, and depending upon the purpose, establish both long- and short-term anchorages. Anchorage grounds are limited geographically, delineate the types and size of vessel which may use the anchorage, and may place time and other restrictions on its use. Special anchorage areas and

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anchorage grounds are promulgated by District Commanders in response to requests from appropriate officials. These routine and frequent rulemakings support the Coast Guard's strategic goal of marine safety. The total actions expected from November 1, 2003, to October 31, 2004, are 10.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AA98

Agency Contact: Ed LaRue, Project Manager, G-MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0416

Email: elarue@comdt.uscg.mil

RIN: 1625-AA01

1325. REPORTING MARINE CASUALTIES (USCG-2000-6927)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 6101; 33 USC 1901 et seq

CFR Citation: 33 CFR 151; 46 CFR 4

Legal Deadline: None

Abstract: This action would add to the definition of a reportable marine casualty, "significant harm to the environment." Some casualty reporting requirements are extended to include foreign tank vessels operating in U.S. waters, including the Exclusive Economic Zone. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal to reduce the consequence of pollution incidents and further supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Request for Comments	12/20/94	59 FR 65522
Comment Period End	02/20/95	
NPRM	11/02/00	65 FR 65808

Action	Date	FR Cite
Supplemental NPRM	07/12/01	66 FR 36530
Supplemental NPRM Comment Period End	09/10/01	
Final Rule	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AD98

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LCDR Charles Barbee, Project Manager, G-MOA-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-1418

RIN: 1625-AA04

1326. STATE ACCESS TO THE OIL SPILL LIABILITY TRUST FUND (CGD 92-014)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2712

CFR Citation: 33 CFR 133

Legal Deadline: NPRM, Statutory, February 18, 1991, NPRM.

Abstract: Pursuant to the Oil Pollution Act of 1990 (OPA 90), this action specifies how the authority to obligate the pollution trust fund for oil spill response and cleanup efforts and to enter into agreements with the States will be exercised. The Coast Guard is evaluating the performance of the interim rule. This rulemaking supports the Coast Guard's strategic goal of the protection of natural resources.

Timetable:

Action	Date	FR Cite
Interim Rule	11/13/92	57 FR 53968
Interim Final Rule Comment Period End	02/11/93	
Interim Rule	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: The rulemaking priority was downgraded from Other Significant to Substantive Nonsignificant in the November 14, 1994 agenda. However, due to administrative error, the document erroneously reflected Other Significant in subsequent agenda entries.

Transferred from RIN 2115-AE19

Agency Contact: Allen R. Thuring, Project Manager, National Pollution Funds Center, Department of Homeland Security, U.S. Coast Guard, Suite 1000, 4200 Wilson Boulevard, Arlington, VA 22203-1804

Phone: 202 493-6801

RIN: 1625-AA06

1327. HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES (USCG-1998-4302)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231

CFR Citation: 33 CFR 126

Legal Deadline: None

Abstract: This rulemaking was intended to revise existing regulations covering waterfront facilities that handle dangerous cargoes. The present regulations are outdated and do not reflect improved safety procedures and modern transportation methods, such as the use of containers. Where appropriate, the regulations incorporate industry standards regarding the handling of hazardous materials at waterfront facilities. This project supports the Vice Commandant's workload reduction initiative and also supports the Coast Guard's strategic goal of maritime safety by reducing deaths and injuries in the maritime industry.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/93	58 FR 4127
ANPRM Comment Period End	04/13/93	
NPRM	10/29/98	63 FR 57964
NPRM Comment Period End	12/28/98	
NPRM Comment Period Reopened	01/12/99	64 FR 1770
NPRM Comment Period End	03/01/99	
Final Rule	09/26/03	68 FR 55436
Final Rule Effective (Except for section 126.15(a)(3))	10/27/03	

DHS—USCG

Final Rule Stage

Action	Date	FR Cite
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Final Rule for section 126.15(a)(3)	01/00/04	
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Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses**Government Levels Affected:** None

Additional Information: An independent study has been completed and incorporated with comments from the public in the preparation of the rulemaking. Old Docket Number CGD 92-026.

The notice of proposed rulemaking was published under the more precisely descriptive title of Handling of Class I (Explosive) Materials or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities.

Transferred from RIN 2115-AE22

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0225

RIN: 1625-AA07**1328. REGATTA AND MARINE PARADE REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 1233**CFR Citation:** 33 CFR 100**Legal Deadline:** None

Abstract: These routine and frequent special local regulations ensure the safety of participants and spectators during regattas and marine parades. The regulations or rules specify such controls as separate participant and spectator areas, separation schemes for watercraft in the area of the event, and temporary restrictions on waterways to accommodate the event. These rules are short-term in nature, usually applying to a single event not exceeding eight hours in duration, and usually encompass only a small portion of a navigable waterway. These rules are promulgated by District Commanders in response to a request from an event-sponsoring organization. These routine and frequent rulemakings support the

Coast Guard's strategic goals of maritime safety and maritime mobility of commercial and recreational vessel traffic. The total actions expected from November 1, 2003, to October 31, 2004, are 35.

Timetable:

Action	Date	FR Cite
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Action Will Continue Through	10/00/04	
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Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations**Government Levels Affected:** None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AE46

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA08**1329. DRAWBRIDGE REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 499**CFR Citation:** 33 CFR 117**Legal Deadline:** None

Abstract: These routine and frequent regulations establish operating schedules and notice requirements for drawbridges across navigable waterways. Drawbridge regulations establish the permanent draw operation schedules for bridges and specify what notice mariners must give to request an opening. Short-term deviations from the permanent schedule may be issued for bridge repairs or to test the effectiveness of a proposed new opening schedule. Drawbridge regulations are promulgated by District Commanders usually at the request of the bridge owner or operator, or of local officials or local Coast Guard bridge administration officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of maritime safety and maritime mobility of commercial and recreational vessel traffic. The total actions expected from November 1, 2003, to October 31, 2004, are 150.

Timetable:

Action	Date	FR Cite
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Actions Will Continue Through	10/00/04	
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Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions**Government Levels Affected:** None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AE47

Agency Contact: Alesia Steinberger, Project Manager, G-OPT-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6215

RIN: 1625-AA09**1330. LIMITED SERVICE DOMESTIC VOYAGE LOAD LINES FOR RIVER BARGES ON LAKE MICHIGAN (USCG-1998-4623)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 51**CFR Citation:** 46 CFR 45**Legal Deadline:** None

Abstract: This regulatory project will allow certain unmanned dry cargo river barges operating on Lake Michigan to be exempted from the normal Great Lakes load line requirements. Instead, they may qualify for a conditional load line exemption, or for a limited service domestic voyage load line (depending on which Lake Michigan route). This rulemaking pertains to two specific routes: Chicago to Milwaukee, and Chicago to Muskegon. This will allow certain non-hazardous cargoes originating at inland river ports to be transported as far as Milwaukee and Muskegon by river barge, thereby benefiting from the relatively low cost per ton-mile of river barge transportation. Compliance is not mandatory other than for those river barge operators who voluntarily seek to expand their operations onto these routes. This rulemaking supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

Action	Date	FR Cite
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NPRM	11/02/98	63 FR 58679
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DHS—USCG

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period Extended	12/28/98	63 FR 71411
Comment Period End	01/04/99	
NPRM Comment Period End	03/04/99	
Interim Final Rule	04/23/02	67 FR 19685
Interim Final Rule Effective	05/23/02	
Collection of Information Sections Effective	06/20/02	
Interim Final Rule-Announcement of Effective Date of COI Sections	06/20/02	67 FR 41847
Interim Final Rule Comment Period End	10/23/02	
Final Rule	02/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** Old Docket Number CGD 95-015.

Transferred from RIN 2115-AF38

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Jordan, Project Manager, G-MSE-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-2988

RIN: 1625-AA17**1331. OUTER CONTINENTAL SHELF ACTIVITIES (USCG-1998-3868)****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1333(d)(1); 43 USC 1348(c); 43 USC 1356**CFR Citation:** 33 CFR 140 to 147**Legal Deadline:** None

Abstract: This project would revise the regulations on Outer Continental Shelf (OCS) activities to: add new requirements for fixed OCS facilities for lifesaving, fire protection, training, hazardous materials used as stores, and accommodation spaces; require foreign vessels engaged in OCS activities to comply with requirements similar to those imposed on U.S. vessels similarly engaged; and allow all mobile inland

drilling units to operate on the OCS out to a defined boundary line if they meet requirements for lifesaving, firefighting, and operations similar to those for fixed OCS facilities. This project would affect the owners and operators of facilities and vessels engaged in offshore activities associated with the exploration for, development of, or production of the resources of the OCS. The preliminary estimate of costs imposed by these amendments varies according to the unit. The Coast Guard is consulting with the Minerals Management Service, part of the Department of the Interior. It supports the Coast Guard's strategic goal of marine safety and environmental protection.

Timetable:

Action	Date	FR Cite
Request for Comments	06/27/95	60 FR 33185
Comment Period End	09/25/95	
NPRM	12/07/99	64 FR 68416
NPRM Correction	02/22/00	65 FR 8671
NPRM Comment Period Extended	03/16/00	65 FR 14226
NPRM Comment Period Extended	06/30/00	65 FR 40559
NPRM Comment Period End	11/30/00	
Final Rule	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: The notice of request for comments published June 27, 1995, was assigned Coast Guard docket number 95-016. Following the request for comments, this docket was terminated. This project continues under Docket No. USCG-1998-3868 and RIN 1625-AA18.

Transferred from RIN 2115-AF39

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: James Magill, Project Manager, G-MSO-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1082

RIN: 1625-AA18**1332. DEEPWATER PORTS (USCG-1998-3884)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1503**CFR Citation:** 33 CFR 148 to 150**Legal Deadline:** None

Abstract: The Coast Guard purposes to revise the regulations governing deepwater ports, which are over 25 years old and which were written before any such port existed. The rulemaking will update the regulations with current technology and industry standards, and will align them with regulations for other fixed offshore facilities. In addition, the rulemaking recognizes the requirement of the Maritime Transportation Security Act of 2002 that rules be issued as soon as practicable for the application and issuance of deepwater port licenses to natural gas facilities. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
ANPRM	08/29/97	62 FR 45774
ANPRM Comment Period End	10/13/97	
NPRM	05/30/02	67 FR 37920
NPRM Comment Period End	07/29/02	
NPRM Comment Period Reopened	08/19/02	67 FR 53764
Second NPRM Comment Period End	09/18/02	
Interim Final Rule	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

Additional Information: An advance notice of proposed rulemaking was published under Docket Number USCG-1998-4441. This docket number is replaced with USCG-1998-3884.

Transferred from RIN 2115-AF63

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

DHS—USCG

Final Rule Stage

Phone: 202 267-0225

RIN: 1625-AA20

1333. ANCHORAGE GROUND; SAFETY ZONE; SPEED LIMIT; TONGASS NARROWS AND KETCHIKAN, ALASKA (CGD-1799-002)**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 471; 33 USC 1231; 33 USC 2071**CFR Citation:** 33 CFR 162; 33 CFR 165; 33 CFR 110**Legal Deadline:** None

Abstract: This rulemaking would grant an exemption from the present 7-knot speed limit in Tongass Narrows, Alaska, for float plane take-off and landing and vessels 23 feet in length or less. The geographic area for the speed limit would be expanded. A safety zone used for cruise ship anchorages would be redesignated as an anchorage area to reflect actual usage of the area and transiting vessels would be required to move quickly and directly through the anchorage, without rapid course changes, to increase safety. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	03/25/99	64 FR 14414
NPRM Comment Period End	05/10/99	
Interim Final Rule	06/02/99	64 FR 29554
Interim Final Rule Comment Period End	11/30/99	
Interim Final Rule	04/07/00	65 FR 18242
Interim Final Rule Comment Period End	10/31/00	
Notice to Reopen Comment Period	10/21/03	68 FR 60034
Comment Period End	12/22/03	
Final Rule	04/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AF81

Agency Contact: LT Milo Oritz, Project Manager, Department of Homeland Security, U.S. Coast Guard, 2030 Sealevel Drive, Suite 203, Ketchikan, AK 99901

Phone: 907 225-4496

RIN: 1625-AA23

1334. VESSEL AND FACILITY RESPONSE PLANS FOR OIL: 2003 REMOVAL EQUIPMENT REQUIREMENTS AND ALTERNATIVE TECHNOLOGY REVISIONS (USCG-2001-8661)**Priority:** Other Significant**Legal Authority:** 33 USC 1321**CFR Citation:** 33 CFR 153; 33 CFR 154; 33 CFR 155**Legal Deadline:** None

Abstract: This rulemaking will propose changes to the Vessel Response Plans and Marine Transportation Facility Response Plans, and revise the language in the Code of Federal Regulations concerning methods and procedures for removing oil from coastal waters. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/11/02	67 FR 63331
NPRM Comment Period Extended	11/19/02	67 FR 69697
NPRM Comment Period End	01/09/03	
NPRM Comment Period End	04/08/03	
Final Rule	06/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG05**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Robert Pond, Project Manager, G-MOR-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6603

RIN: 1625-AA26

1335. VESSEL DOCUMENTATION: LEASE FINANCING FOR VESSELS ENGAGED IN THE COASTWISE TRADE (USCG-2001-8825)**Priority:** Other Significant**Legal Authority:** 46 USC 12106; 46 USC 12120; 46 USC 12122**CFR Citation:** 46 CFR 67**Legal Deadline:** None

Abstract: This rulemaking will amend the regulations on the documentation of vessels engaged in the coastwise trade. It is a spin-off of Vessel Documentation (USCG 1998-4784). These proposals address statutory amendments eliminating certain barriers to seeking foreign financing by lease for U.S. flag vessels. These proposals would clarify the information needed to determine the eligibility of a vessel financed in this manner for a coastwise endorsement. This rulemaking supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	05/02/01	66 FR 21902
NPRM Comment Period Extended to 09/04/2001	05/29/01	66 FR 34603
NPRM Comment Period End	07/02/01	
NPRM Comment Period Reopened	12/14/01	66 FR 64784
Reopened Comment Period End	01/28/02	
Supplemental NPRM	08/09/02	67 FR 51804
Second NPRM Comment Period End	10/08/02	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG08**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Patricia Williams, Project Manager, NVDC, Department of Homeland Security, U.S. Coast Guard, National Vessel Documentation Center, 792 T.J. Jackson Drive, Falling Waters, WV 25419
Phone: 304 271-2506

RIN: 1625-AA28

DHS—USCG

Final Rule Stage

1336. UPDATE OF RULES ON AIDS TO NAVIGATION AFFECTING BUOYS, SOUND SIGNALS, INTERNATIONAL RULES AT SEA, COMMUNICATIONS PROCEDURES, AND LARGE NAVIGATIONAL BUOYS (USCG-2001-10714)**Priority:** Info./Admin./Other**Legal Authority:** 14 USC 81; 33 USC 1231; 43 USC 1333; 46 USC 4302**CFR Citation:** 33 CFR 60-76**Legal Deadline:** None

Abstract: This rulemaking would revise 33 CFR subchapter C—Aids to Navigation, parts 60 through 76. In these parts, it would update technical information concerning buoys, sound signals, international rules at sea, communications procedures, and large navigational buoys. It would also revise these parts using plain language. The proposed changes would update the existing rules both to reflect current practices and to make them easier to understand. This rulemaking supports the Coast Guard's strategic goals of maritime safety and mobility.

Timetable:

Action	Date	FR Cite
NPRM	05/14/03	68 FR 25855
NPRM Comment Period End	08/12/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG25**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Daniel Andrusiak, Project Manager, G-OPN-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0327

RIN: 1625-AA34**1337. RATES FOR PILOTAGE ON THE GREAT LAKES (USCG-2002-11288)****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 46 USC 9303(f)**CFR Citation:** 46 CFR 401**Legal Deadline:** None

Abstract: The Coast Guard conducts an annual review of the Great Lakes Pilotage based on the "Rate-making Analyses and Methodology" published in the Federal Register on May 9, 1996. Depending on the results of this review, the Coast Guard can make rate adjustments in accordance with 46 CFR part 404, appendix A, step 7; or, if the director determines that pilotage rates are within a reasonable range of their target, make no adjustments. This rulemaking may take place annually. It supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	01/23/03	68 FR 3202
NPRM Comment Period Extended	02/14/03	68 FR 7489
NPRM Comment Period Extended	04/01/03	68 FR 15697
NPRM Correction	04/01/03	
Public Meeting (04/14)	04/01/03	
NPRM Comment Period End	05/01/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG30**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: Thomas Lawler, Project Manager, G-MW-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-1241

RIN: 1625-AA38**1338. NOTIFICATIONS OF ARRIVAL AND DEPARTURE IN PORTS OR PLACES IN THE UNITED STATES (USCG-2001-11865)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1223(a)(5); 33 USC 1226; 33 USC 1231**CFR Citation:** 33 CFR 160**Legal Deadline:** None

Abstract: The Coast Guard needs to permanently amend its regulations relating to the Notifications of Arrival (NOA) and Departure (NOD)

requirements in 33 CFR part 160 to ensure port safety, security, and environmental protection as well as maintain the uninterrupted flow of commerce. Subsequent to the terrorist attacks of September 2001, we published an emergency temporary final rule (96-hour rule) amending the NOA and NOD requirements for commercial vessels bound for or departing from ports or places in the United States. The temporary final rule terminated on March 31, 2003. In this final rule, most of the changes introduced by the temporary final rule have been made permanent. This rulemaking supports the Coast Guard's strategic goals of maritime safety, maritime security, protection of natural resources, and maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	06/19/02	67 FR 41659
NPRM Comment Period End	08/19/02	
Final Rule	02/28/03	68 FR 9537
Final Rule Effective	04/01/03	
Final Rule Partial Suspension	05/22/03	68 FR 27907
Final Rule Correction	11/10/03	68 FR 63735

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG35**URL For More Information:** dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: LTJG Kimberly Andersen, Project Manager, G-MPP, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street NW., Washington, DC 20593
Phone: 202 267-2562

RIN: 1625-AA41**1339. PENALTIES FOR NONSUBMISSION OF BALLAST WATER MANAGEMENT REPORTS (USCG-2002-13147)****Priority:** Other Significant**Legal Authority:** 16 USC 4711**CFR Citation:** 33 CFR 151**Legal Deadline:** None

Abstract: This rulemaking would set penalties for vessels that fail to submit

DHS—USCG

Final Rule Stage

ballast water management reports, as required in subpart D of 33 CFR 151. It supports the Coast Guard's strategic goals of protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	01/06/03	68 FR 523
NPRM Comment Period End	04/07/03	
Final Rule	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG50

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Bivan Patnaik, Project Manager, G-MSO, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1744

RIN: 1625-AA51

1340. MANDATORY BALLAST WATER MANAGEMENT PROGRAM FOR U.S. WATERS (USCG-2003-14273)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 4711

CFR Citation: 33 CFR 151

Legal Deadline: None

Abstract: This rulemaking would make ballast water management requirements applicable to all vessels equipped with ballast water tanks entering a port or place in the United States. It supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	07/30/03	68 FR 44691
NPRM Comment Period End	10/28/03	
Final Rule	02/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Additional Information: Transferred from RIN 2115-AG52

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Bivan Patnaik, Project Manager, G-MSO, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-1744

RIN: 1625-AA52

1341. COUNTRY OF ORIGIN CODES AND REVISION OF REGULATIONS ON HULL IDENTIFICATION NUMBERS (USCG-2003-14272)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302

CFR Citation: 33 CFR 181.27

Legal Deadline: None

Abstract: By modifying a restriction on U.S. boat manufacturers when they label a boat with a hull identification number (HIN), this proposed rule would make it less expensive for the manufacturers to comply with an international HIN standard for boats they would like to export and thus this rulemaking would support the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	06/20/03	68 FR 36957
NPRM Comment Period End	09/18/03	
Final Rule	05/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG53

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Alston Colihan, Project Manager, G-OPB-3, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0981

RIN: 1625-AA53

1342. ALLOWING ALTERNATIVES TO INCANDESCENT LIGHTS, AND ESTABLISHING STANDARDS FOR NEW LIGHTS, IN PRIVATE AIDS TO NAVIGATION (USCG-2000-7466)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 83; 14 USC 85; 43 USC 1333

CFR Citation: 33 CFR 66

Legal Deadline: None

Abstract: The Coast Guard is seeking to let the lighting industry and owners of private aids to navigation take advantage of a recent improvement in technology—one that enables the use of lanterns based on Light-Emitting Diodes (LEDs), which would reduce the consumption of power and simplify the maintenance of the aids. The use of these lanterns should stimulate competition in the industry, reduce maintenance, and therefore operating costs, and allow the marking of the aids in a desirable manner. This rule supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/04/00	65 FR 59124
Direct Final Rule Withdrawn	01/02/01	66 FR 8
NPRM	06/24/02	67 FR 42512
NPRM Comment Period End	08/23/02	
Final Rule	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The Coast Guard withdrew the direct final rule because it received an adverse comment. The Coast Guard published a notice of proposed rulemaking to solicit additional comments from the public.

Transferred from RIN 2115-AF98

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Daniel Andrusiak, Project Manager, G-OPN-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0327

RIN: 1625-AA55

DHS—USCG

Final Rule Stage

1343. ALTERNATE HULL EXAMINATION PROGRAM FOR CERTAIN PASSENGER VESSELS, AND UNDERWATER SURVEYS FOR PASSENGER, NAUTICAL SCHOOL, AND SAILING SCHOOL VESSELS (USCG—2000–6858)**Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 3305; 46 USC 3308**CFR Citation:** 46 CFR 71; 46 CFR 115; 46 CFR 167; 46 CFR 169; 46 CFR 176**Legal Deadline:** None

Abstract: This regulatory project will establish hull examination alternatives and a drydock extension policy for qualifying passenger vessels that operate exclusively on benign, low-risk environments, and that have limited time under way. In addition, the proposed regulations would provide the option of alternating drydock examinations with underwater surveys for passenger vessels. This project supports the Coast Guard's strategic Marine Safety, Security and Environmental Protection Program's goal of mobility by facilitating commerce and eliminating interruptions and impediments to the economical movement of goods and people.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/29/02	67 FR 21062
Interim Final Rule Effective	06/28/02	
Interim Final Rule Comment Period End	07/29/02	
Collection of Information Interim Rule Sections Effective	08/28/02	
Interim Final Rule; Announcement of Effective Date	08/28/02	67 FR 55162
Interim Rule; Announcement of Effective Date; Correction	10/18/02	67 FR 64315
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: This project is split from RIN 2115–AF73. The split was a result of comments received under the notice of proposed rulemaking that was published under

RIN 2115–AF73, November 15, 1999, 64 FR 62018, entitled Frequency of Inspection Alternate Hull Exam Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels.

Transferred from RIN 2115–AF95

URL For More Information: dms.dot.gov**URL For Public Comments:** dms.dot.gov

Agency Contact: LCDR Martin Walker, Project Manager, G–MOC, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–1047

RIN: 1625–AA57**1344. RULES OF PRACTICE, PROCEDURE, AND EVIDENCE FOR ADMINISTRATIVE PROCEEDINGS OF THE COAST GUARD (USCG 1998–3472)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 7701; 46 USC 7702; 33 USC 1321; 42 USC 9609**CFR Citation:** 33 CFR 20; 46 CFR 5**Legal Deadline:** None

Abstract: The Coast Guard maintains two separate sets of procedural rules: the administrative adjudication rules against merchant mariners' licenses, certificates of registry, and documents; and those for the adjudication of class II civil penalties. The rules for suspension and revocation, contained in part 5 of title 46 of the Code of Federal Regulations (CFR), date from 1948, and are based on criminal procedure. The rules for class II civil penalties, contained in part 20 of title 33 of the CFR, date from 1994, and are based on the Model Rules of Administrative Procedure and on other modern rules for civil procedure. Neither set implements the authority of the Oil Pollution Act of 1990 (OPA 90), which provides for the temporary suspension of a license, certificate of registry, or document for up to 45 days without a hearing, in certain circumstances, and a hearing within 30 days of any such suspension. This rulemaking would consolidate all procedural rules for administrative adjudications for class II civil penalties, and allow the Coast Guard to promulgate regulations implementing

the OPA 90 authority. This project supports the strategic goal of the Coast Guard to promote marine safety. We are in the process of deciding how to respond to comments received.

Timetable:

Action	Date	FR Cite
NPRM	04/06/98	63 FR 16731
NPRM Comment Period End	05/06/98	
NPRM Comment Period Reopened	05/20/98	63 FR 27700
NPRM Comment Period End	06/19/98	
Interim Final Rule	05/24/99	64 FR 28054
Interim Final Rule Effective	06/23/99	
Interim Final Rule Correction	06/28/99	64 FR 34540
Interim Final Rule Comment Period End	07/23/99	
Interim Final Rule Comment Period Reopened	10/05/99	64 FR 53970
Interim Final Rule Comment Period End	04/03/00	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This rulemaking revises in part the previous docket of CGD 94–101, which was terminated on December 20, 1995.

Transferred from RIN 2115–AF59

URL For More Information:dms.dot.gov**URL For Public Comments:**dms.dot.gov

Agency Contact: George Jordan, Project Manager, G–CJ, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–2940

RIN: 1625–AA59**1345. FIRE-SUPPRESSION SYSTEMS AND VOYAGE PLANNING FOR TOWING VESSELS (USCG 2000–6931)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 3719; 46 USC 4102**CFR Citation:** 33 CFR 157; 46 CFR 27**Legal Deadline:** NPRM, Statutory, October 1, 1997, NPRM.

DHS—USCG

Final Rule Stage

Abstract: The Coast Guard proposes requirements for (a) total-flooding or other installed systems for suppressing fires on existing towing vessels, and (b) voyage-planning. The purpose of this rulemaking is to reduce oil spills from single-hull, non-self-propelled barges because drifting oil barges have run aground and spilled their cargoes, causing considerable damage to marine life and the environment. This project was developed in cooperation with the Towing Safety Advisory Committee. It supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/06/97	62 FR 52057
Comment Period End	01/05/98	
Comment Period Reopened	02/27/98	63 FR 9980
Notice of Public Meeting	02/27/98	63 FR 9980
Comment Period End	05/11/98	
Supplemental NPRM	11/08/00	65 FR 66941
Notice of Public Meeting	12/28/00	65 FR 82303
Supplemental NPRM Comment Period End	03/08/01	
Supplemental NPRM; Notice of Mtg. & Second Reopening Comment Period	07/11/01	66 FR 36223
Second Reopened Comment Period End	09/15/01	
Interim Rule	04/29/03	68 FR 22604
Interim Rule Comment Period End	07/28/03	
Interim Rule Effective	08/27/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: This rulemaking was formerly titled "Towing Vessel Safety (Fire Suppression Systems and Other Measures for Towing Vessels)" (CGD 97-064). It originally proposed requirements for three sets of issues relative to the safety of towing vessel safety issues: (1) Fire-suppression systems and other measures; (2) control measures for tank barges; and (3) fire-protection measures for towing vessels.

The latter two components have developed into separate rulemakings: Emergency Control Measures for Tank Barges (USCG 1998-4443; RIN 2115-AF65), and Fire Protection Measures for Towing Vessels (USCG 1998-4445; RIN 2115-AF66).

Transferred from RIN 2115-AF53

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Randall Eberly, Project Manager, G-MSE-4, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1861

RIN: 1625-AA60

1346. APPROVAL FOR EXPERIMENTAL SHIPBOARD INSTALLATIONS OF BALLAST WATER TREATMENT SYSTEMS (USCG-2001-9267)

Priority: Other Significant

Legal Authority: 16 USC 4711

CFR Citation: 33 CFR 151, subpart C; 33 CFR 151, subpart D

Legal Deadline: None

Abstract: This rulemaking would establish a program through which vessel owners could apply for advance, conditional approval of experimental ballast water treatment systems installed and tested onboard their operating vessels. This interim rule would facilitate the development of effective ballast water treatment technology that could serve as an alternative to ballast water exchange, and ensure that U.S. regulations accomplish the intent of Congress to prevent and control the introduction of unwanted aquatic nuisance species as stated in the National Invasive Species Act of 1996.

Timetable:

Action	Date	FR Cite
Request for Comments	05/22/01	66 FR 28213
Notice of Withdrawal	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Dr. Richard Everett, Project Manager, Department of Homeland Security, U.S. Coast Guard, Office of Operating & Environmental Standards (G-MSO), 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-2243

RIN: 1625-AA66

1347. CIVIL MONETARY PENALTIES-ADJUSTMENTS FOR INFLATION (USCG-2003-15486)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 28 USC 2461 note

CFR Citation: 33 CFR 27.3

Legal Deadline: None

Abstract: To comply with the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, this rulemaking would adjust for inflation the Coast Guard's civil monetary penalties. This project supports the Coast Guard's strategic goals of maritime safety, maritime security, and protection of natural resources.

Timetable:

Action	Date	FR Cite
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Spears, Project Manager, G-MSR-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1099

RIN: 1625-AA73

Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)
Long-Term Actions
1348. DISCHARGE-REMOVAL EQUIPMENT FOR VESSELS CARRYING OIL (CGD 90-068)

Priority: Other Significant

Legal Authority: 33 USC 1321

CFR Citation: 33 CFR 155

Legal Deadline: Final, Statutory, August 18, 1992, Final.

Abstract: The Oil Pollution Act of 1990 directed the President by August 18, 1992, to require periodic inspection of discharge-removal equipment to ensure that it is available in an emergency, and to require carriage of discharge-removal equipment by vessels operating in the navigable waters of the United States and carrying oil or hazardous substances. This action implemented those provisions. This project supports the Coast Guard's strategic goal of protection of natural resources. This project is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/91	56 FR 43534
ANPRM Comment Period End	10/16/91	
NPRM	09/29/92	57 FR 44912
NPRM Comment Period Extended	10/26/92	57 FR 48489
NPRM Comment Period End	10/29/92	
NPRM Comment Period Extended	11/16/92	
Interim Final Rule	12/22/93	58 FR 67988
Interim Final Rule Effective	01/21/94	
Correction	01/26/94	59 FR 3749
Interim Final Rule Comment Period End	02/22/94	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AD66

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: David A. DuPont, Project Manager, G-MSR-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0971

RIN: 1625-AA02

1349. ESCORT VESSELS FOR CERTAIN TANKERS (CGD 91-202)

Priority: Other Significant

Legal Authority: 46 USC 3703

CFR Citation: 33 CFR 168

Legal Deadline: None

Abstract: This rulemaking developed standards that implement section 4116(c) of the Oil Pollution Act of 1990. It addressed the areas of Prince William Sound and Puget Sound and requires a two-vessel escort for single-hull tankers greater than 5,000 gross tons. On November 1, 1994, the crash stop criteria were suspended because of industry concerns about meeting the criteria. On February 1, 1995, a notice of availability of a two-part study assessing the capability of escort tugs to control disabled tankers in Prince William Sound was published. This project supports the Coast Guard's Marine Safety, Security and Environmental Protection program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protecting natural resources. This project is considered significant because of substantial public and State government interest.

Timetable:

Action	Date	FR Cite
NPRM	07/07/92	57 FR 30058
NPRM Comment Period End	09/08/92	
NPRM Comment Period Reopened	03/26/93	58 FR 16391
Notice of Public Hearings	04/29/93	58 FR 25959
Correction	05/19/93	58 FR 29157
NPRM Comment Period End	06/24/93	
Notice of Availability-Part 1 of Study	01/10/94	59 FR 1411
Final Rule	08/19/94	59 FR 42962
Final Rule-Suspension of Crash-Stop Provision	11/01/94	59 FR 54519
Final Rule Effective	11/17/94	
Final Rule-Partial Suspension Effective	11/17/94	
Notice of Availability-Part II of Study	02/01/95	60 FR 6345

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: We are in the process of deciding how to respond to the comments we have received. The Coast Guard, in cooperation with the Prince William Sound Regional Citizens Advisory Council, PWS Tanker Association, and Alaska Pipeline, conducted a disabled-tanker towing study. The results of the study were considered in this rulemaking. Tug escort requirements in areas other than Prince William Sound and Puget Sound are addressed in the project listed under RIN 1625-AA10.

ANALYSIS: Regulatory Evaluation, August 19, 1994, 59 FR 42962

Transferred from RIN 2115-AE10

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LT Sam Stevens, Project Manager, G-MSE-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0173

RIN: 1625-AA05

1350. ESCORT VESSELS IN CERTAIN U.S. WATERS (CGD 91-202A)

Priority: Other Significant

Legal Authority: 46 USC 3703

CFR Citation: 33 CFR 168

Legal Deadline: None

Abstract: This rule would designate those U.S. waters, other than Prince William Sound and Puget Sound, where tankers and other vessels must be escorted by a towing vessel or other appropriate vessel. This project supports the Coast Guard's Marine Safety, Security and Environmental Protection program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protecting natural resources. It is significant because of substantial public and State government interest.

Timetable:

Action	Date	FR Cite
ANPRM	04/27/93	58 FR 25766
Comment Period End	06/28/93	
Request for Comments	12/21/94	59 FR 65741
Comment Period End	02/13/95	

Next Action Undetermined

DHS—USCG

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined

Additional Information: We are in the process of deciding how to respond to the comments we have received. This rulemaking is a companion to RIN 1625-AA05, which concerns Prince William Sound and Puget Sound.

Transferred from RIN 2115-AE56

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LT Sam Stevens, Project Manager, G-MSE-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0173

RIN: 1625-AA10**1351. REGULATED NAVIGATION AREAS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 1231; 50 USC 191**CFR Citation:** 33 CFR 165**Legal Deadline:** None

Abstract: These routine and frequent regulations establish operating requirements for vessels within specified geographic areas to ensure safety on the navigable waters where some special or unusual circumstance exists. Regulated navigation areas are limited areas in which the Coast Guard specifies operational or vessel restrictions such as vessel entry, movement or departure, and vessel size, speed, horsepower, or draft limitations. Regulated navigation areas are promulgated by District Commanders, usually at the request of Coast Guard marine safety or local maritime safety officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of waterways management, marine safety, and maritime mobility. The total actions expected from November 1, 2003, to October 31, 2004, are 25.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AE84

Agency Contact: Ed LaRue, Project Manager, G-MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0416

Email: elarue@comdt.uscg.mil

RIN: 1625-AA11**1352. MARINE TRANSPORTATION-RELATED FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1999-5705)****Priority:** Other Significant**Legal Authority:** 33 USC 1321(j); PL 101-380**CFR Citation:** 33 CFR 154**Legal Deadline:** None

Abstract: This project would implement provisions of the Oil Pollution Act of 1990 that require an owner or operator of a marine transportation-related facility transferring bulk hazardous substances to develop and operate in accordance with an approved response plan. The regulations would apply to marine transportation-related facilities that, because of their location, could cause harm to the environment by discharging a hazardous substance into or on the navigable waters or adjoining shoreline. A separate rulemaking, under RIN 1625-AA13, was developed in tandem with this rulemaking and addresses hazardous substances response plan requirements for tank vessels. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources by reducing the consequence of pollution incidents. This action is considered significant because of substantial public and industry interest.

Timetable:

Action	Date	FR Cite
ANPRM	05/03/96	61 FR 20084
Notice of Public Hearings	07/03/96	61 FR 34775
ANPRM Comment Period End	09/03/96	
NPRM	03/31/00	65 FR 17416
NPRM Comment Period End	06/29/00	
Interim Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Old Docket Number CGD 94-048. Public hearings regarding this rulemaking were held in Washington, DC, on July 30, 1996; Houston, TX, on August 5, 1996; and Houston, TX, on February 26 and 27, 1997. Public meetings for the notice of proposed rulemaking were held in New Orleans, LA, on May 10 and 11, 2000.

Transferred from RIN 2115-AE87

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LT Eric Bauer, Project Manager, G-MOR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0417

RIN: 1625-AA12**1353. TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1998-4354)****Priority:** Other Significant**Legal Authority:** 33 USC 1231; 33 USC 1321(j); PL 101-380**CFR Citation:** 33 CFR 155**Legal Deadline:** None

Abstract: This project would implement provisions of the Oil Pollution Act of 1990 that require an owner or operator of a tank vessel carrying bulk hazardous substances to develop and operate in accordance with an approved response plan. The regulations would apply to vessels operating on the navigable waters or within the Exclusive Economic Zone (EEZ) of the United States that carry bulk hazardous substances. A separate rulemaking, under RIN 1625-AA12,

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would address hazardous substances response plan requirements for marine transportation-related facilities. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources by reducing the amount of chemicals entering the environment, as well as reducing the consequences of pollution incidents. This project is considered significant because of substantial public and industry interest.

Timetable:

Action	Date	FR Cite
ANPRM Notice of Public Hearings	05/03/96	61 FR 20084
ANPRM Comment Period End	07/03/96	61 FR 34775
NPRM Notice of Public Hearing	09/03/96	
NPRM Comment Period Extended	03/22/99	64 FR 13734
NPRM Comment Period End	06/15/99	64 FR 31994
NPRM Extended Comment Period End	06/15/99	
Interim Final Rule	06/21/99	
	08/30/99	
	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Old Docket Number CGD 94-032.

Public meetings regarding this rulemaking were held in Washington, DC, on July 30, 1996; Houston, TX, on August 5, 1996; and Houston, TX, on February 26 and 27, 1997. Public meetings for the notice of proposed rulemaking were held in Houston, TX on August 12 and 13, 1999.

Transferred from RIN 2115-AE88

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LT Eric Bauer, Project Manager, G-MOR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0417

RIN: 1625-AA13

1354. NUMBERING OF UNDOCUMENTED BARGES (USCG-1998-3798)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 12301

CFR Citation: 33 CFR 189

Legal Deadline: None

Abstract: Title 46 U.S.C. 12301, as amended by the Abandoned Barge Act of 1992, requires that all undocumented barges more than 100 gross tons operating on the navigable waters of the United States be numbered. This rulemaking would establish a numbering system for these barges. The numbering of undocumented barges will allow identification of owners of barges found abandoned and help prevent future marine pollution. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Request for Comments	10/18/94	59 FR 52646
Comment Period End	01/17/95	
ANPRM	07/06/98	63 FR 36384
ANPRM Comment Period End	11/03/98	
NPRM	01/11/01	66 FR 2385
NPRM Comment Period End	04/11/01	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Old Docket Number CGD 93-091. In the 2002 spring agenda, we announced that we would be withdrawing this rulemaking but we are currently reevaluating that decision. We are in the process of deciding how to respond to the comments we have received.

Transferred from RIN 2115-AF13

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Patricia Williams, Project Manager, NVDC, Department of Homeland Security, U.S. Coast Guard, National Vessel Documentation Center, 792 T.J. Jackson Drive, Falling Waters, WV 25419
Phone: 304 271-2506

RIN: 1625-AA14

1355. IMPLEMENTATION OF THE 1995 AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING (STCW) FOR SEAFARERS, 1978 (CGD 95-062)

Priority: Other Significant

Legal Authority: 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7107

CFR Citation: 46 CFR 10; 46 CFR 12; 46 CFR 15

Legal Deadline: None

Abstract: The International Maritime Organization (IMO) comprehensively amended the International Convention on Standards of Training, Certification, and Watchkeeping (STCW) for Seafarers, 1978, in 1995. The amendments came into force on February 1, 1997. This project implements them by revising current rules to ensure that the United States complies with their requirements on: the training of merchant mariners, the documenting of their qualifications, and watch-standing and other arrangements aboard seagoing merchant ships of the United States. This project supports the Coast Guard's strategic goal of maritime safety. It also supports the goal of our directorate for Marine Safety and Environmental Protection for reducing deaths and injuries of crewmembers on domestic merchant vessels and eliminating substandard vessels from the navigable waters of the United States. It is significant because of the potential impact on industry and the potential effect on international interests.

Timetable:

Action	Date	FR Cite
Notice of Meeting	08/02/95	60 FR 39306
Comment Period End	09/29/95	
Notice of Inquiry	11/13/95	60 FR 56970
Comment Period End	01/12/96	
NPRM	03/26/96	61 FR 13284
Notice of Public Meetings	04/08/96	61 FR 15438
Comment Period End	07/24/96	
Notice of Intent	02/04/97	62 FR 5197
Interim Rule	06/26/97	62 FR 34505
Interim Rule Effective	07/28/97	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

DHS—USCG

Long-Term Actions

Additional Information: Old Docket Number CGD 95-062.

Transferred from RIN 2115-AF26

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mark Gould, Project Manager, G-MSO-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-6890

RIN: 1625-AA16

1356. SALVAGE AND MARINE FIREFIGHTING REQUIREMENTS; VESSEL RESPONSE PLANS FOR OIL (USCG-1998-3417)

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 33 USC 1321

CFR Citation: 33 CFR 155

Legal Deadline: None

Abstract: Current vessel response plan regulations require that the owners or operators of vessels carrying groups I through V petroleum oil as a primary cargo identify in their response plans a salvage company with expertise and equipment, and a company with firefighting capability that can be deployed to a port nearest to the vessel's operating area within 24 hours of notification (groups I-IV) or a discovery of a discharge (group V). Numerous requests for clarification revealed widespread misunderstanding and confusion regarding the regulatory language, which will make the implementation of this requirement difficult. Based on comments received after the Vessel Response Plan final rule publication (61 FR 1052; January 12, 1996) and during a Coast Guard hosted workshop, the Coast Guard intends to better define the terms "salvage expertise and equipment" and "vessel firefighting capability" requirements and will reconsider the 24-hour deployment requirement which was scheduled to go into effect on February 18, 1998. Therefore, the Coast Guard suspended the effective dates of the 24-hour deployment requirements as published in the final rule. The Coast Guard will continue with this

project to better define the requirements. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of the natural resources. This rulemaking is also significant because it concerns a matter of substantial public interest or controversy.

Timetable:

Action	Date	FR Cite
Final Rule - Partial Suspension	02/12/98	63 FR 7069
Final Rule - Partial Suspension	01/17/01	66 FR 3876
NPRM	05/10/02	67 FR 31868
Public Meeting 7/9/02, 7/17/02, 7/25/02	06/12/02	67 FR 40254
Public Meeting 9/26/02	08/07/02	67 FR 51159
NPRM Comment Period Extended	08/07/02	
NPRM Comment Period End	10/18/02	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Partial suspension of regulations created through the Vessel Response Plan final rule, Docket No. 91-034, RIN 2115-AD81. The project was originally titled "Salvage and Firefighting Equipment; Vessel Response Plans." The change was made in order to distinguish this project from other similarly titled projects within the Coast Guard.

Transferred from RIN 2115-AF60

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LT Reed Kohberger, Project Manager, G-MOR-3, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0448

RIN: 1625-AA19

1357. COMMERCIAL DIVING OPERATIONS (USCG-1998-3786)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1509; 43 USC 1333; 46 USC 3306; 46 USC 3703; 46 USC 6101

CFR Citation: 46 CFR 197

Legal Deadline: None

Abstract: This project involves reviewing and updating the commercial diving regulations, which are over 20 years old. A review of the commercial diving regulations is needed to determine what parts should be updated or changed based on the current standards of safety, technology, and industry practices and to evaluate and minimize any significant economic impact of the rules upon small entities. The project supports the Coast Guard Marine Safety, Security and Environmental Protection Program's goal to reduce deaths and injuries on U.S. commercial vessels and the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
ANPRM	06/26/98	63 FR 34840
ANPRM Comment Period Extended	09/23/98	63 FR 50848
ANPRM Comment Period End	11/09/98	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AF64

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0225

RIN: 1625-AA21

1358. IMPROVEMENTS TO MARITIME SAFETY IN PUGET SOUND-AREA WATERS (USCG-1998-4501)

Priority: Other Significant

Legal Authority: 33 USC 1223 to 1224

CFR Citation: 33 CFR 1

Legal Deadline: None

Abstract: This rulemaking would promulgate measures to improve maritime safety in Puget Sound-Area waters including Puget Sound, the Strait of Juan de Fuca, passages around

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and through the San Juan Islands, and the Olympic Coast National Marine Sanctuary. Based on a determination by the Secretary of Transportation regarding the status of maritime safety in the Puget Sound area, the Coast Guard has initiated a comprehensive cost-benefit analysis to study the feasibility of implementing new safety measures, including extended tug escort requirements and a dedicated response vessel. Public input will help focus this cost-benefit analysis and develop any future proposed rules, if deemed necessary. This rulemaking supports the Coast Guard Marine Safety, Security and Environmental Protection Program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protection of natural resources. This is a significant action due to substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	11/24/98	63 FR 64937
ANPRM Comment Period End	05/24/99	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** Transferred from RIN 2115-AF68**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LT Sam Stevens, Project Manager, G-MSE-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0173

RIN: 1625-AA22**1359. TRAINING AND QUALIFICATIONS FOR PERSONNEL ON PASSENGER SHIPS (USCG 1999-5610)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 2103; 46 USC ch 71; 46 USC ch 73**CFR Citation:** 46 CFR 12; 46 CFR 15; 46 CFR 10**Legal Deadline:** None

Abstract: This project will implement new amendments to the International Convention on Standards of Training, Certification, and Watchkeeping (STCW) for Seafarers, 1978 that impose requirements for training and qualifications of masters, officers, engineers, and "ratings." The following training courses are mandatory for the personnel on passenger ships other than roll-on, roll-off, carrying more than 12 passengers operating on international voyages: (1) Crisis Management and Human Behavior; (2) Crowd Management; (3) Special Safety; (4) Passenger Safety, with special attention given to disabled persons and others needing assistance; and (5) Special Familiarization. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	06/15/00	65 FR 37507
NPRM Comment Period End	09/13/00	
Interim Final Rule	10/30/02	67 FR 66063
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AF83**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Mark Gould, Project Manager, G-MSO-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-6890

RIN: 1625-AA24**1360. CARGO SECURING ON VESSELS OPERATING IN U.S. WATERS (USCG-2000-7080)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 3306**CFR Citation:** 33 CFR 97**Legal Deadline:** None**Abstract:** This rulemaking would amend the cargo stowage and securing

rules for U.S. vessels operating in U.S. waters. In addition, it would amend rules to require cargo-securing manuals for U.S. or foreign vessels of 500 gross tons or more on international voyages. Its goal is to reduce hazardous material cargo losses from vessels in U.S. waters. It supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	12/01/00	65 FR 75201
NPRM Comment Period End	03/01/01	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: This rulemaking is being returned to a long-term schedule. In the 2002 spring agenda, we announced we would be withdrawing this rulemaking but we are currently reevaluating that decision.

Transferred from RIN 2115-AF97

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Robert Spears, Project Manager, G-MSR-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1099

RIN: 1625-AA25**1361. ELECTRONIC CHART DISPLAY AND INFORMATION SYSTEM (ECDIS) (USCG-2001-8826)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1223; 33 USC 1231; 46 USC 2103; 46 USC 3703; 46 USC 6101; 46 USC 8502**CFR Citation:** 33 CFR 164**Legal Deadline:** None

Abstract: This rule would allow commercial vessels the option of using an IMO-approved Electronic Charting Display and Information System (ECDIS) as a primary means of navigation in U.S. waters instead of paper charts. Compliance with this rule would be optional; any vessel choosing not to use such an ECDIS must

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continue to navigate using corrected and updated printed charts and publications. This rule supports the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/01	66 FR 21899
ANPRM Comment	07/02/01	
Period End		
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This rulemaking is being shifted onto a long-term schedule. In the 2002 spring agenda, we announced that we would be withdrawing this rulemaking. We are currently reevaluating that decision.

Transferred from RIN 2115-AG09

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LCDR James Rocco, Project Manager, G-MWV G-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0550

RIN: 1625-AA29

1362. FEDERAL REQUIREMENTS FOR PROPELLER INJURY AVOIDANCE MEASURES (USCG 2001-10163)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302

CFR Citation: 33 CFR 175

Legal Deadline: None

Abstract: This rule would establish Federal requirements for nonplaning recreational houseboats equipped with propeller driven propulsion located aft of the transom. This rule would require owners of these nonplaning recreational houseboats to install either one or two propulsion unit measures (a propeller guard or a jet pump drive) or employ three combined measures (use of an ignition cut-off switch, where installed, and install a swim ladder interlock device and an aft-visibility device). Owners of rental houseboats would have to also install an ignition cut-off switch, if not already installed. These

requirements would reduce the number of boaters who are seriously or fatally injured when struck by the propeller of a nonplaning recreational houseboat. This rulemaking would implement recommendations made by the National Boating Safety Advisory Council. It supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	12/10/01	66 FR 63645
NPRM Comment	03/11/02	
Period End		
NPRM Comment	03/26/02	67 FR 13738
Period Extended		
NPRM Comment	05/11/02	
Period End		
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG18

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA31

1363. DRAWBRIDGE OPERATIONS REGULATIONS; REVISIONS (USCG-2001-10881)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 499

CFR Citation: 33 CFR 117

Legal Deadline: None

Abstract: The Coast Guard is proposing changes to its drawbridge regulations that provide guidance for general requirements relating to the use and operation of drawbridges. This project will create a new deviation for short-term closures, provide Coast Guard Eighth District Bridges Administration St. Louis, MO, with a general bridge closure requirement during the winter season when navigation is reduced, and eliminate any unnecessary distinction between commercial and recreational vessels in subpart B. It will also make

changes throughout part 117 to remove redundancies, make amendments and technical corrections, and remove special bridge regulations that are no longer functional. Corrections and clarification of these requirements will help to streamline the drawbridge regulatory process and should shorten and simplify part 117 for the reader. This rulemaking supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	04/17/03	68 FR 18922
NPRM Comment	06/02/03	
Period End		
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG27

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: J. Christopher Jaufmann, Project Manager (G-OPT-1), Department of Homeland Security, U.S. Coast Guard, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0377

RIN: 1625-AA36

1364. ALTERNATE TONNAGE CONVENTION: SMALL PASSENGER VESSELS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 14 USC 14104

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This rulemaking would amend small passenger vessel regulations retaining the tonnage thresholds based on measurement under 46 U.S.C. 14502, but adding alternate tonnage thresholds based on measurement under 46 U.S.C. 14302. We expect this rulemaking to support the Coast Guard's strategic goals of maritime mobility of commercial vessel traffic and maritime safety. However, we are reviewing our regulatory resource allocation and management

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strategies to optimize our overall regulatory mission effectiveness. Accordingly, we have decided to continue this item on the agenda, while we consider and balance our statutory obligations and discretionary authority.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Additional Information: Transferred from RIN 2115-AG29

Agency Contact: Peter D. Eareckson, Project Manager, Marine Safety Center, Department of Homeland Security, U.S. Coast Guard, 400 7th Street SW., Washington, DC 20590-0001
Phone: 202 366-6502

RIN: 1625-AA37

1365. WEARING OF PERSONAL FLOTATION DEVICES BY PERSONS OPERATING OR RIDING ON PERSONAL WATERCRAFT OR BEING TOWED BEHIND RECREATIONAL VESSELS (USCG-2002-11421)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302

CFR Citation: 33 CFR 175

Legal Deadline: None

Abstract: This rule would require every person to wear a personal flotation device (PFD)-also called a lifejacket-while operating or riding on personal watercraft (PWC) or being towed behind a recreational vessel. On waters subject to the jurisdiction of the United States within any State or territory, the rule would not preempt any requirement established for such persons as specified by that State. The rule would set a Federal requirement on waters subject to the jurisdiction of the United States within any State or territory. The new requirement would reduce the number of persons who drown while participating in these activities. This project supports the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Federalism: Undetermined

Additional Information: Transferred from RIN 2115-AG32

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA40

1366. IDENTIFICATION CREDENTIALS FOR MARITIME SECURITY

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 46 USC 2103

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Coast Guard is considering a project to update standards and procedures for identifying people aboard vessels, and at ports and facilities on waterfronts. These standards and procedures might include checks of backgrounds for people in security-sensitive positions, but would take account of (and as far as possible be compatible with) efforts to the same effect from international bodies, other Federal agencies, and States.

The purpose of the project would be to deter terrorism. The project would support the Coast Guard's strategic goals of maritime security, maritime safety, protection of natural resources, and mobility.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Additional Information: Related docket: Maritime Security Notice, USCG-2002-14069 (67 FR 79742, December 30, 2002).

Transferred from RIN 2115-AG42

Agency Contact: Gerald P. Miente, Project Manager, G-MSE-3, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-2206

RIN: 1625-AA47

1367. VESSEL TRAFFIC SERVICE LOWER MISSISSIPPI RIVER (USCG-1998-4399)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223(a)

CFR Citation: 33 CFR 26; 33 CFR 161; 33 CFR 165

Legal Deadline: None

Abstract: This project proposes to establish a new Vessel Traffic Service (VTS) area in the Lower Mississippi River region. This Vessel Traffic Service Area (VTSA) will span from 20 miles north of Baton Rouge (mile 255 Above Head of Passes (AHP)) out to sea, including the South and Southwest Pass. As part of the VTSA, a VTS Special Area will be designated between mile 93.5 and 95 AHP. Unlike traditional VTSs, which are based on radar and video surveillance and rely on voice communications by VHF-FM radio, when fully operational VTS Lower Mississippi River will use Automatic Identification System transponder technology to perform the majority of both surveillance and information exchange. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	04/26/00	65 FR 24616
NPRM Comment Period End	07/25/00	
NPRM Comment Period Reopened	08/18/00	65 FR 50479
NPRM Comment Period End	12/01/00	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This project was originally entitled "Vessel Traffic Service Lower Mississippi/Automatic Identification System Carriage Requirement." The VTS LMR will retain RIN 1625-AA58. The AIS carriage requirement will be developed in a separate rulemaking (see USCG-2003-14575, RIN 1625-AA67). Transferred from RIN 2115-AF75

URL For More Information:

DHS—USCG

Long-Term Actions

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Jorge Arroyo, Project Manager, G—MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6277

RIN: 1625-AA58

1368. WEARING OF PERSONAL FLOTATION DEVICES (PFDS) BY CERTAIN CHILDREN ABOARD RECREATIONAL VESSELS (USCG-2000-8589)

Priority: Substantive, Nonsignificant**Legal Authority:** 46 USC 4302**CFR Citation:** 33 CFR 175, subpart B**Legal Deadline:** None

Abstract: This rule requires every child under the age of 13 to wear a personal flotation device (PFD)-also called a lifejacket-while aboard a recreational vessel under way and while not below decks or in an enclosed cabin. It adopts, on waters subject to the jurisdiction of the United States within any State, any requirement for the wearing of a PFD established by that State for a child under an age specified by that State. The rule also sets, on waters subject to the jurisdiction of the United States within any State lacking any such requirement, its own, comparable requirements. This project supports the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	05/01/01	66 FR 21717
NPRM Comment Period End	08/29/01	
Final Rule	02/27/02	67 FR 8881
Notice of Withdrawal of Final Rule	03/27/02	67 FR 19643
Withdrawal of Final Rule Effective	03/27/02	
Interim Final Rule	06/24/02	67 FR 42488
Interim Final Rule Comment Period End	08/23/02	
Interim Final Rule Effective	12/23/02	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: After publication of the final rule, the State Boating Law Administrator (BLA) of Ohio raised a concern about possible adverse impacts due to Federal enforcement of PFD-wearing requirements on vessels not subject to State requirements because of vessels' lengths. The Coast Guard withdrew the final rule before its effective date and later published an interim final rule that allows public comment on a new alternative, which removes the potential differences between Federal and State requirements.

Transferred from RIN 2115-AG04

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Carlton Perry, Project Manager, G—OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA62

1369. ESCORT VESSELS FOR CERTAIN TANKERS-CRASH STOP CRITERIA (USCG-2003-14734)

Priority: Substantive, Nonsignificant**Legal Authority:** 46 USC 3703**CFR Citation:** 33 CFR 168**Legal Deadline:** None

Abstract: This rulemaking will make permanent the suspended "crash stop provision" to the escort vessel regulations. This rulemaking will support the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Additional Information: Transferred from 2115-AG51

Agency Contact: LT Sam Stevens, Project Manager, G—MSE-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0173

RIN: 1625-AA65

Department of Homeland Security (DHS)

U.S. Coast Guard (USCG)

Completed Actions

1370. LICENSING AND MANNING FOR OFFICERS OF TOWING VESSELS (USCG 1999-6224)

Priority: Substantive, Nonsignificant**Legal Authority:** 14 USC 633; 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7106; 46 USC 7107; 46 USC 7701**CFR Citation:** 46 CFR 10; 46 CFR 15**Legal Deadline:** None

Abstract: This rulemaking is necessary as part of an overall initiative by the Coast Guard to improve navigational safety for towing vessels. It will help

ensure that the mariner piloting a towing vessel has the proper training and qualifications to handle the tug and tow. It has introduced a third level of license where there have been only two. Each level requires greater experience and proficiency than the one below. This rulemaking also introduces a requirement for demonstration of proficiency as a prerequisite to being issued an original license. This will be in addition to the current requirements for sea service, physical examination, testing for drugs, and successful testing for competence.

This rulemaking supports the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	06/19/96	61 FR 31332
Correction	07/11/96	61 FR 36608
Correction	08/07/96	61 FR 41208
Notice of Meeting	08/26/96	61 FR 43720
NPRM Comment Period End	10/17/96	
Notice of Intent	12/18/96	61 FR 66642
SNPRM	10/27/97	62 FR 55548

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Completed Actions

Action	Date	FR Cite
Public Meeting Boston 02/18/98	01/21/98	63 FR 3070
Public Meeting Houston 02/13/98	01/21/98	63 FR 3070
Public Meeting Memphis 02/11/98	01/21/98	63 FR 3070
Public Meeting Seattle 02/24/98	01/21/98	63 FR 3070
SNPRM Comment Period End	02/24/98	
Interim Final Rule	11/19/99	64 FR 63213
Interim Final Rule Comment Period End	02/17/00	
Interim Final Rule	10/27/00	65 FR 64388
Notice Concerning Review	02/09/01	66 FR 9673
Interim Final Rule	04/26/01	66 FR 20931
Interim Final Rule Effective	05/21/01	
Notice of Public Meeting	07/11/01	66 FR 36223
Interim Final Rule Comment Period End	07/25/01	
Final Rule	06/17/03	68 FR 35801
Final Rule Effective	09/15/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Old Docket Number CGD 94-055.

Transferred from RIN 2115-AF23

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LCDR Luke Harden, Project Manager, G-MSO-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1838

RIN: 1625-AA15

1371. TERRITORIAL SEAS, NAVIGABLE WATERS, AND JURISDICTION (USCG-2001-9044)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 3306 to 3307; 46 USC 3703; 49 USC 1804; 49 USC 1655; 14 USC 633; 14 USC 80; ...

CFR Citation: 33 CFR 2; 33 CFR 26; 33 CFR 62; 33 CFR 64; 33 CFR 95; 33 CFR 100; 33 CFR 165

Legal Deadline: None

Abstract: This project will make substantive changes to current regulations, but only to the extent required to conform to the congressionally mandated changes in the laws administered and enforced by the Coast Guard as listed in section 301 of the Coast Guard Authorization Act of 1998 and sections 104 and 321 of the Maritime Transportation Security Act of 2002. We will redefine the "territorial sea," "navigable waters of the United States," "high seas," "contiguous zone," and "exclusive economic zone" to clarify the varying definitions of those terms under different laws administered and enforced by the Coast Guard, as well as relevant Presidential proclamations. This project supports the Coast Guard's strategic goals of maritime safety and security, and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	08/14/02	67 FR 52906
Correction to NPRM	09/18/02	67 FR 58752
NPRM Comment Period End	11/12/02	
Final Rule	07/18/03	68 FR 42595
Final Rule Effective	08/18/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG13

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Alex Weller, Project Manager (G-LMI), Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0097

RIN: 1625-AA30

1372. AREA MARITIME SECURITY (USCG-2003-14733)

Priority: Other Significant

Legal Authority: PL 107-295

CFR Citation: 33 CFR 101; 33 CFR 103

Legal Deadline: Other, Statutory, November 25, 2003, Other.

Abstract: This rulemaking will establish security measures

commensurate with the level and degree of risk within the marine transportation system, and will affect all users, workers, and property in and adjacent to navigable waters of the United States and waters subject to the jurisdiction of the United States. This rulemaking will include requirements for Port Security Committees, Port Security Assessments, and Port Security Plans. This project will support the Coast Guard's strategic goals of maritime security, maritime safety, protection of natural resources, and mobility.

Timetable:

Action	Date	FR Cite
Temporary Interim Rule	07/01/03	68 FR 39284
Interim Final Rule Effective	07/01/03	
Interim Final Rule Comment Period End	07/31/03	
Final Rule	10/22/03	68 FR 60472
Final Rule Effective	11/21/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Related docket: Maritime Security Notice, USCG-2002-14069 (67 FR 79742, December 30, 2002).

Transferred from RIN 2115-AG37

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LCDR Richard Teubner, Project Manager, G-MPS-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-4129

RIN: 1625-AA42

1373. FACILITY SECURITY (USCG-2003-14732)

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 107-295

CFR Citation: 33 CFR 105

DHS—USCG

Completed Actions

Legal Deadline: Other, Statutory, November 25, 2003, Other.

Abstract: This rulemaking will establish security measures commensurate with the level and degree of risk within the marine transportation system, and will affect all users, workers, and property in and adjacent to navigable waters of the United States and waters subject to the jurisdiction of the United States. This rulemaking will include requirements for Facility Security Assessments, Facility Security Plans, and Facility Security Officers. This project is expected to support the Coast Guard strategic goals of maritime security, maritime safety, protection of natural resources, and maritime mobility.

Timetable:

Action	Date	FR Cite
Temporary Interim Rule	07/01/03	68 FR 39315
Interim Final Rule Effective	07/01/03	
Interim Final Rule Comment Period End	07/31/03	
Final Rule	10/22/03	68 FR 60515
Final Rule Effective	11/21/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Related docket: Maritime Security Notice, USCG–2002–14069 (67 FR 79742, December 30, 2002).

Transferred from RIN 2115–AG38

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: LT Gregory Purvis, Project Manager, G–MPS, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593
Phone: 202 267–1072

RIN: 1625–AA43

1374. VESSEL SECURITY (USCG–2003–14749)

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 107–295

CFR Citation: 33 CFR 104

Legal Deadline: Other, Statutory, November 25, 2003, Other.

Abstract: The Vessel Security rulemaking will affect owners and operators of U.S. vessels, including Mobile Offshore Drilling Units (MODUs) and public vessels, and foreign vessels calling on U.S. ports. This rulemaking will not cover fixed and floating platforms or other specific excluded vessels. Consistent with the Maritime Transportation Security Act of 2002 and parts A and B of the IMO International Code for Security of Ships and Port Facilities (ISPS Code), the affected vessels will be required to designate security officers, develop vessel security plans based security assessments and surveys, and implement security measures and procedures specific to each vessel's operations and to indicated Maritime Security (MARSEC) levels. Other proposed requirements include provisions for training, record keeping, security equipment maintenance, and communication procedures. This rulemaking supports the Coast Guard's strategic goals of maritime safety, maritime security, protection of natural resources, and maritime mobility.

Timetable:

Action	Date	FR Cite
Temporary Interim Rule	07/01/03	68 FR 39292
Interim Final Rule Effective	07/01/03	
Interim Final Rule Comment Period End	07/31/03	
Final Rule	10/22/03	68 FR 60483
Correction	11/04/03	68 FR 62501
Final Rule Effective	11/21/03	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: None

Federalism: Undetermined

Additional Information: Related docket: Maritime Security Notice, USCG–2002–14069 (67 FR 79742, December 30, 2002).

Transferred from RIN 2115–AG41

URL For More Information:

dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: LCDR Darnell Baldinelli, Project Manager, G–MP, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267–4148

RIN: 1625–AA46

1375. SAFETY ZONE FOR OUTER CONTINENTAL SHELF FACILITY IN THE GULF OF MEXICO IN VIASCA KNOLL 915 (CGD08–02–045)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 85; 43 USC 1333

CFR Citation: 33 CFR 147

Legal Deadline: None

Abstract: The Coast Guard proposes to establish a safety zone around a high-production, manned oil and natural gas facility in the Outer Continental Shelf in the Gulf of Mexico in Viasca Knoll 915. The facility needs to be protected from vessels operating outside the normal shipping channels and fairways. Placing a safety zone around the facility will significantly reduce the threat of allisions, oil spills, and releases of natural gas. The proposed regulation would prevent all vessels from entering or remaining in specified areas around the facility except for the following: an attending vessel; a vessel under 100 feet in length overall not engaged in towing; or a vessel authorized by the Eighth Coast Guard District Commander. The proposed safety zone is necessary to protect life, property and the environment and supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	02/28/03	68 FR 9611
NPRM Comment Period End	04/29/03	
Final Rule	09/26/03	68 FR 55443
Final Rule Effective	10/27/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115–AG54

DHS—USCG

Completed Actions

Agency Contact: LT Kevin Lynn, Project Manager (mwm), Department of Homeland Security, U.S. Coast Guard, Eighth Coast Guard District Commander, Hale Boggs Federal Buildings, 501 Magazine Street, New Orleans, LA 70130
Phone: 504 589-6217
Email: klynn@d8.uscg.mil
RIN: 1625-AA54

1376. AUTOMATIC IDENTIFICATION SYSTEM; VESSEL CARRIAGE REQUIREMENT (USCG-2003-14757)

Priority: Other Significant

Legal Authority: PL 107-295

CFR Citation: 33 CFR 161; 33 CFR 164; 33 CFR 165

Legal Deadline: Other, Statutory, November 25, 2003, Other.

Abstract: The Coast Guard will amend certain ports and waterways regulations to reflect vessel carriage requirements, and technical and performance standards for an automatic identification system (AIS). The rule will implement the AIS vessel requirements of the Maritime Transportation Security Act of 2002 (MTSA) and the International Maritime Organization (IMO) requirements adopted under International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended. The changes will require AIS on all SOLAS vessels and certain other commercial vessels. The rule will facilitate vessel communications, enhance good order and predictability, promote safe navigation, expand maritime domain awareness, and improve upon existing operating measures on our nation's waterways. This rulemaking replaces a rulemaking we have withdrawn, RIN 1625-AA61 (Formerly 2115-AG36). We have withdrawn that rulemaking and have replaced it with this one that will specifically respond to the MTSA, including its requirement to publish a temporary interim rule (TIR). The TIR will focus on SOLAS vessels in all waters and domestic vessels operating in Vessel Traffic Service (VTS) and Vessel Movement Reporting System (VMRS) areas only. The public will be provided with an opportunity to comment on the TIR. Separate from this rulemaking, a notice will also be published seeking comments on AIS carriage requirements for non-VTS or non-VMRS areas, such as for other navigable waters per MTSA or domestic

vessels over 500 gross tons per SOLAS. This new rulemaking supports Coast Guard strategic goals of maritime safety, maritime security, protection of natural resources and maritime mobility.

Timetable:

Action	Date	FR Cite
Temporary Interim Rule	07/01/03	68 FR 39353
Interim Final Rule Effective	07/01/03	
Interim Final Rule Comment Period End	07/31/03	
Policy Statement	09/29/03	68 FR 55826
Final Rule	10/22/03	68 FR 60559
Final Action Effective	11/21/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Related docket: Maritime Security Notice, USCG-2002-14069 (67 FR 79742, December 30, 2002), available at <http://dms.dot.gov>.

Also "Automatic Identification System: Expansion of Carriage Requirements for U.S. Waters" notice and request for comments (USCG-2003-14878)(68 FR 39369, July 1, 2003).

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Jorge Arroyo, Project Manager, G-MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6277

RIN: 1625-AA67

1377. OUTER CONTINENTAL SHELF FACILITY SECURITY (USCG-2003-14759)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 107-295

CFR Citation: 33 CFR 106

Legal Deadline: Final, Statutory, November 25, 2003, Final.

Abstract: This rulemaking will establish security measures for Outer Continental Shelf (OCS) facilities

commensurate with the level and degree of risk within the marine transportation system and will affect all users, workers, and property in and adjacent to navigable waters of the United States and waters subject to the jurisdiction of the United States. This rulemaking will include requirements for OCS Facility Security Assessments, OCS Facility Security Plans, and OCS Facility Security Officers. The Maritime Transportation Security Act of 2002 (MTSA) requires that a temporary interim rule be published followed by a final rule no later than November 25, 2003, one year after the date of enactment of the MTSA. This project supports the Coast Guard's strategic goal of maritime security.

Timetable:

Action	Date	FR Cite
Temporary Interim Rule	07/01/03	68 FR 39338
Interim Final Rule Effective	07/01/03	
Interim Final Rule Comment Period End	07/31/03	
Final Rule	10/22/03	68 FR 60545
Final Rule Effective	11/21/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Federalism: This action may have federalism implications as defined in EO 13132.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: LT Greg Versaw, Project Manager, G-MP, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-4144

RIN: 1625-AA68

1378. IMPLEMENTATION OF NATIONAL MARITIME SECURITY INITIATIVES (USCG-2003-14792)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 107-295

CFR Citation: 33 CFR 101 to 103; 33 CFR 105; 33 CFR 161; 33 CFR 164; 33 CFR 165; 46 CFR 104

DHS—USCG

Completed Actions

Legal Deadline: Other, Statutory, November 25, 2003, Other.

Abstract: The Coast Guard is implementing a series of temporary interim rules as required by Public Law 107-295, the Maritime Transportation Security Act of 2002 (MTSA). This series of temporary interim rules addresses security assessments, plans, and specific security measure requirements for Area Maritime Transportation Security, Vessel Security, Facility Security, and Offshore Facility Security. The carriage requirements for Automatic Identification System (AIS) are also included in this series of interim final rules. A comprehensive discussion of the security requirements included in the MTSA is presented in this rulemaking along with a summary of the cost and benefits of the entire suite of temporary interim rules. Discussions are also included on the alignment of domestic maritime security requirements with the International Ship and Port Facility Security (ISPS) Code and recent amendments to the International Convention for the Safety of Life at Sea (SOLAS). The actual temporary interim rules in this suite limit their preamble discussions to the specific requirements they contain. Under the MTSA, a final rule for each of the six temporary interim rules will be issued before November 25, 2003. This rulemaking provides the elements and discussions common to the suite of related temporary interim rules. The public is encouraged to use this rulemaking as the foundation document for the entire suite. This project supports the Coast Guard's strategic goal of maritime security.

Timetable:

Action	Date	FR Cite
Temporary Interim Rule	07/01/03	68 FR 39240
Interim Final Rule Effective	07/01/03	
Interim Final Rule Comment Period End	07/31/03	
Final Rule	10/22/03	68 FR 60448
Final Rule Effective	11/21/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Federalism: This action may have federalism implications as defined in EO 13132.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: CAPT Kevin Dale, Commandant (G-MPS), Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0250

RIN: 1625-AA69

1379. • RIGHT TO APPEAL; DIRECTOR, GREAT LAKES PILOTAGE (USCG-2003-15137)

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 46 USC 9303(f)

CFR Citation: 46 CFR 1, 5, 7-10

Legal Deadline: None

Abstract: The Coast Guard is amending its procedures for the appeal of decisions or actions taken by the Director, Great Lakes Pilotage (G-MW-1). It has determined that the Assistant Commandant for Marine Safety, Security and Environmental Protection (G-M) should exercise this authority in place of the Director of Waterways Management (G-MW). This way, G-MW will be able to supervise more closely the work of G-MW-1 without also sitting in judgment on that work. This project supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/23/03	68 FR 37091
Direct Final Rule Comment Period End	07/23/03	
Direct Final Rule Effective	08/22/03	
Confirmation of Effective Date	08/27/03	68 FR 51499

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Thomas Lawler, Project Manager, G-MW-1, Department of Homeland Security, U.S. Coast

Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-1241

RIN: 1625-AA71

1380. • SAFETY ZONE FOR OUTER CONTINENTAL SHELF FACILITY IN THE GULF OF MEXICO IN MISSISSIPPI CANYON 243

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 14 USC 85; 43 USC 1333

CFR Citation: 33 CFR 147

Legal Deadline: None

Abstract: The Coast Guard proposes to establish a safety zone around a high-production, manned oil and natural gas facility in the Outer Continental Shelf in the Gulf of Mexico being constructed in Mississippi Canyon 243. The facility needs to be protected while it is being constructed and after construction is completed from vessels operating outside the normal shipping channels and fairways. Placing a safety zone around the facility will significantly reduce the threat of allisions, oil spills, and releases of natural gas. The proposed regulation would prevent all vessels from entering or remaining in specified areas around the facility except for the following: An attending vessel; a vessel under 100 feet in length overall not engaged in towing; or a vessel authorized by the Eighth Coast Guard District Commander. The proposed safety zone is necessary to protect life, property and the environment and supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	07/07/03	68 FR 40229
NPRM Comment Period End	09/05/03	
Final Rule	10/14/03	68 FR 59116
Final Rule Effective	11/13/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LT Kevin Lynn, Project Manager (mwm), Department of Homeland Security, U.S. Coast Guard, Eighth Coast Guard District Commander, Hale Boggs Federal

DHS—USCG

Completed Actions

Buildings, 501 Magazine Street, New Orleans, LA 70130
Phone: 504 589-6217
Email: klynn@d8.uscg.mil

RIN: 1625-AA72

1381. • BASIC RATES AND CHARGES ON LAKE ERIE AND THE NAVIGABLE WATERS FROM SOUTHWEST SHOAL TO PORT HURON, MI (USCG-2002-12840)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 46 USC 2104(a); 44 USC 3507

CFR Citation: 46 CFR 401

Legal Deadline: None

Abstract: This rule extends a temporary final rule published on July 19, 2002 (67 FR 47464), which expires on July 21, 2003. This rule would extend the temporary final rule until through December 24, 2003. Extension of the effective period ensures that the pilotage rates in District Two, Area 5, stay at the current rate while the Coast Guard completes its pending ratemaking project. This project supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

Action	Date	FR Cite
Temporary Final Rule Effective	07/18/03	
Temporary Final Rule	07/23/03	68 FR 43470

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The temporary final rule this rule extends appeared as a completed action in the Fall 2002 Unified Agenda as RIN 2115-AG46.

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Thomas Lawler, Project Manager, G-MW-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-1241

RIN: 1625-AA74

Department of Homeland Security (DHS)

Proposed Rule Stage

Bureau of Customs and Border Protection (BCBP)

1382. INSPECTION OF PERSONS APPLYING FOR ADMISSION; INTERNATIONAL-TO-INTERNATIONAL USER FEE

Priority: Other Significant

Legal Authority: 8 USC 1103; 8 USC 1356

CFR Citation: 8 CFR 286

Legal Deadline: None

Abstract: This rule proposes to amend Department regulations to require air carriers to charge and collect a user fee from every International-to-International (ITI) passenger arriving in the United States, except those individuals exempted under section 286(e)(1) of the Immigration and Nationality Act. This action is necessary since the Department is required to inspect all aliens who are applicants for admission or otherwise seeking admission or readmission to or transit through the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	
NPRM Comment Period End	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: INS No. 1757

Transferred from RIN 1115-AE37

Agency Contact: Robert F. Hutnick, Assistant Chief Inspector, Inspections Division, Department of Homeland Security, Bureau of Customs and Border Protection, Room 4064, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1018
Email: robert.hutnick@dhs.gov

RIN: 1651-AA03

1383. DOCUMENTARY REQUIREMENTS FOR RETURNING RESIDENTS

Priority: Other Significant

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1181; 8 USC 1182; 8 USC 1203; 8 USC 1225; 8 USC 1257

CFR Citation: 8 CFR 211

Legal Deadline: None

Abstract: This rule proposes to amend DHS regulations to specify how an alien admitted for permanent residence, on returning to the United States, may prove that he or she is not to be considered an applicant for admission. This rule is necessary to implement section 101(a)(13)(C) of the Act and to clarify the responsibility for carriers who transport to the United States aliens who claim to be to be returning residents. This rule will ensure that aliens who present themselves as

lawful permanent residents are properly documented as such.

Timetable:

Action	Date	FR Cite
NPRM-INS No. 1932-98	04/00/04	
NPRM Comment Period End	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: INS No. 1932-98.

Transferred from RIN 1115-AF26

Agency Contact: Michael D. Jones, Acting Director, National Fines Office of Inspections, Department of Homeland Security, Bureau of Customs and Border Protection, Suite 425, 1525 Wilson Boulevard, Arlington, VA 22209
Phone: 202 305-7018

RIN: 1651-AA09

1384. CONTRACTS WITH TRANSPORTATION LINES

Priority: Other Significant

Legal Authority: 8 USC 1103; 8 USC 1228

CFR Citation: 8 CFR 233

Legal Deadline: None