

disclosure from Department of Justice files. Thus, before releasing any information, Department attorneys should consult all appropriate statutes and regulations (e.g., 5 U.S.C. 552a (Privacy Act); 50 U.S.C. 403-3(c)(6) (concerning intelligence sources and methods), and Execution Order 12958 (concerning national security information). In particular, in matters involving individuals, the Privacy Act regulates disclosure of settlement agreements that have not been made part of the court record.

(d) The principles set forth in this section are intended to provide guidance to attorneys for the Government and are not intended to create or recognize any legally enforceable right in any person.

Dated: October 26, 1999.

Janet Reno,

Attorney General.

[FR Doc. 99-28557 Filed 11-1-99; 8:45 am]

BILLING CODE 4410-AR-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD09-99-077]

RIN-2115-AE47

Drawbridge Operation Regulations; Duluth Ship Canal (Duluth-Superior Harbor), MN

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Commander, Ninth Coast Guard District is temporarily changing the regulations governing the Duluth Aerial Lift Bridge over Duluth Ship Canal in Duluth, MN. The bridge need not open for vessel traffic and will remain in the closed-to-navigation position from December 15, 1999, until March 20, 2000. This temporary rule has been authorized due to major rehabilitation and the need to immobilize the bridge for this project.

DATES: This temporary rule is effective from 12:01 a.m. on December 15, 1999, to 11:59 p.m. on March 20, 2000.

ADDRESSES: Documents concerning this temporary rule are available for inspection and copying at 1240 East Ninth Street, Room 2019, Cleveland, OH, 44199-2060 between 6:30 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (216) 902-6084.

FOR FURTHER INFORMATION CONTACT: Mr. Scot Striffler, Project Manager, Ninth

Coast Guard District Bridge Branch, at (216) 902-6084.

SUPPLEMENTARY INFORMATION:

Discussion of Temporary Rule

On January 21, 1999, the City of Duluth, MN, requested the Coast Guard approve a time period when the Duluth Aerial lift bridge would not be required to open for vessel traffic in order to complete a major rehabilitation of the operating machinery and deck replacement. A 16-week closure was originally requested by the City.

Commander, Ninth Coast Guard District, solicited the input of commercial vessel operators and Coast Guard engineers and determined that the project could be completed within 13 and one-half weeks without imposing unreasonable restrictions on navigation, while still providing the necessary time to complete the rehabilitation work. (Between January 1 and March 15 each year, the bridge is required to open for vessels if at least 24 hours advance notice is provided.) The Coast Guard authorized the bridge to remain in the closed-to-navigation position from 12:01 a.m. on December 15, 1999 until 11:59 p.m. on March 20, 2000.

The closure dates were based on the traditional times of the least commercial shipping activity in Duluth Harbor. There is no recreational or small entity vessel traffic during this period due to heavy ice in the west end of Lake Superior and Duluth/Superior Harbor. The Coast Guard also considered the fact that an alternate access to the harbor is available through the federal channel in Superior, WI.

This temporary rule is being promulgated without a notice of proposed rulemaking. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Due to the extensive input by commercial marine interests, limited vessel activity during a majority of the closure period due to severe weather and ice, the need to perform the work necessary to maintain the bridge in a safe and operable condition during regular operating times, and the availability of access to the harbor through Superior Harbor Entry, notice and comment on this temporary final rule are unnecessary.

Regulatory Evaluation

This temporary rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of

Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Access to the harbor will be available through another maintained waterway in close proximity to the bridge.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this temporary rule will have a significant impact on a substantial number of small entities. "Small entities" may include small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and governmental jurisdictions with populations of less than 50,000.

Marine activity in the harbor is virtually non-existent during a majority of the authorized closure period due to extreme weather and ice. Only larger vessels, or specially designed vessels, are capable of transiting the harbor in heavy ice.

Therefore, the Coast Guard certifies under 5 U.S.C 605(b) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

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

Environment

The Coast Guard considered the environmental impact of this temporary rule and concluded that, under figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, this temporary rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

For reasons set out in the preamble, the Coast Guard temporarily amends Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

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

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

2. Effective from 12:01 a.m., December 15, 1999, to 11:59 p.m., March 20, 2000, § 117.661 is suspended and a new § 117.T662 is added to read as follows:

§ 117.T662 Duluth Ship Canal (Duluth-Superior Harbor).

The draw of the Duluth Aerial Lift Bridge, mile 0.1 over the Duluth Ship Canal in Duluth, MN, need not open for the passage of vessels and may be maintained in the closed-to-navigation position.

Dated: October 18, 1999.

James D. Hull,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 99-28513 Filed 11-1-99; 8:45 am]

BILLING CODE 4910-15-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA No. 99-2245; MM Docket No. 99-258; RM-9681]

Radio Broadcasting Services; Iowa Park, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 242A at Iowa Park, Texas, in response to a petition filed by Fred R. Morton, Jr. See 64 FR 39964, July 23, 1999. The coordinates for Channel 242A at Iowa Park are 34-01-27 NL and 98-41-14 WL. There is a site restriction 8.3 kilometers (5.2 miles) north of the community. With this action, this proceeding is terminated. A filing window for Channel 242A at Iowa Park will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

DATES: Effective December 6, 1999.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 99-258, adopted October 13, 1999, and released October 22, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Iowa Park, Channel 242A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 99-28409 Filed 11-1-99; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA No. 99-2245; MM Docket No. 99-234; RM-9645]

Radio Broadcasting Services; Hunt, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 260A at Hunt, Texas, in response to a petition filed by Hunt Radio Broadcasting Company. See 64 FR 36323, July 6, 1999. The coordinates for Channel 260A at Hunt, Texas, are 30-07-18 NL and 99-25-39 WL. There is a site restriction 10.7 kilometers (6.6 miles) northwest of the community. With this action, this proceeding is terminated. A filing window for Channel 260A at Hunt will not be

opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

DATES: Effective December 6, 1999.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 99-234, adopted October 13, 1999, and released October 22, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Hunt, Channel 260A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 99-28408 Filed 11-1-99; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA No. 99-2245; MM Docket No. 99-257; RM-9683]

Radio Broadcasting Services; Centerville, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 278A at Centerville, Texas, in response to a petition filed by Wolverine Broadcasting. See 64 FR 39965, July 16, 1999. The coordinates for Channel 278A