

this rule is categorically excluded from further environmental documentation. A written Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and Recordkeeping requirements, Security measures, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T00–189 to read as follows:

§ 165.T00–189 Safety and Security Zones: Presidential Visit; Martha's Vineyard, MA.

(a) *Location.* The following area has been declared both a safety zone and a security zone: From a point beginning on land at Latitude 41 degrees 20' 54" N, Longitude 070 degrees 36' 34" W; thence eastward along the shoreline to a point on land at Latitude 41 degrees 20' 57" N, Longitude 070 degrees 35' 45" W; thence south 500 yards to an offshore point at Latitude 41 degrees 20' 42" N, Longitude 070 degrees 35' 47" W; thence west to an offshore point at Latitude 41 degrees 20' 42" N, Longitude 070 degrees 36' 30" W; thence north to the beginning point. The aforementioned offshore points will be marked by buoys indicating the safety and security zones.

(b) *Effective date.* This rule is effective from 6 a.m. on Tuesday, August 1, 2000, until 12 midnight on Tuesday, August 8, 2000.

(c) Regulations.

(1) In accordance with the general regulations in §§ 165.23 and 165.33 of this part, entry into or movement within these zones is prohibited unless authorized by the COTP Providence or the Coast Guard Presidential Security Detail Senior Duty Officer.

(2) No person may swim upon or below the surface of the water within the boundaries of these security and safety zones.

(3) All persons and vessels shall comply with the instructions of the COTP, the Coast Guard Presidential Security Detail Senior Duty Officer, or the designated on-scene U.S. Coast Guard patrol personnel. U.S. Coast Guard patrol personnel include

commissioned, warrant, and petty officers of the U.S. Coast Guard.

(4) The general regulations covering safety and security zones in §§ 165.23 and 165.33, respectively, of this part apply.

Dated: July 27, 2000.

Mark G. Vanhaverbeke,

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

[FR Doc. 00–20116 Filed 8–4–00; 12:50 pm]

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–00–190]

RIN 2115–AA97

Safety and Security Zones: Presidential Visit, Martha's Vineyard, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary safety and security zones, with identical boundaries, around the President of the United States during his vacation on Martha's Vineyard, Massachusetts. The security zone is needed to safeguard the public, the President and adjoining areas from sabotage or other subversive acts, accidents, or other causes of a similar nature. The safety zone is needed to protect the public. Entry into these zones is prohibited unless authorized by the Captain of the Port, Providence, Rhode Island or the Coast Guard Presidential Security Detail Senior Duty Officer.

DATES: This rule is effective from 6 a.m., Tuesday, August 1, 2000, until 12 midnight on Tuesday, August 8, 2000.

ADDRESSES: Documents as indicated in this preamble are available for inspection and copying at Marine Safety Office Providence, 20 Risho Avenue, East Providence, Rhode Island between the hours of 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT David C. Barata at Marine Safety Office Providence, (401) 435–2335.

SUPPLEMENTARY INFORMATION:

Regulatory Information

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation and good cause exists for making it effective less than 30 days after **Federal Register**

publication. Due to the sensitive and unpredictable nature of the President's schedule, the Coast Guard received insufficient notice to publish proposed rules in advance of the event. Any delay encountered in this regulation's effective date would be contrary to public interest since immediate action is needed to protect the President, the public and adjoining areas.

Background and Purpose

From August 1, 2000, to August 8, 2000, President Clinton will be vacationing on Martha's Vineyard, MA. While vacationing, the President may participate in a variety of activities including boating or fishing trips, swimming, jogs along the beach, dinners at waterfront restaurants, and golfing, all of which will place him on or in close proximity to the navigable waters of the United States. This temporary rule establishes moving safety and security zones around the President extending 500 yards in all directions. The zones will be activated when the President is on or near the waters of the United States. The zones are needed for the safety and security of the President and to protect the public and adjacent areas from sabotage or other subversive acts, accidents, or other causes of a similar nature.

It is not possible to predict the President's exact movements on Martha's Vineyard. Accordingly, the Coast Guard Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer will activate the safety and security zones when necessary. Notice of the exact location of the safety and security zones will be given via loud hailer, channels 16 and 22 VHF, or through Safety Maine Information Broadcasts, as appropriate. The safety and security zones have identical boundaries. All persons, other than those approved by the Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer, will be prohibited from these zones. The activation and enforcement of these zones will be coordinated with the Secret Service pursuant to their authority under 18 U.S.C. 3056.

Regulatory Evaluation

This temporary final 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. The Office of Management and Budget has not reviewed it 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The sizes of the zones are the minimum necessary to provide adequate protection of the President. The entities most likely to be affected are pleasure craft engaged in recreational activities and sightseeing. These individuals and vessels have ample space outside of the safety and security zones to engage in these activities and therefore they will not be subject to undue hardship. If the President is onboard a vessel, the zones may impact ferries or other commercial vessels. In order not to place undue hardships on these vessels and their passengers, provided there is adequate protection for the President and the public, vessels may be allowed to transit through the zones. Any hardships experienced by persons or vessels are considered minimal compared to the national interest in protecting the President and the public.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. For the reasons addressed in the Regulatory Evaluation above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

Under subsection 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 [Pub. L. 104-121], the Coast Guard wants to assist small entities in understanding this final rule so that they can better evaluate its effects on them and participate in the rulemaking. If your small business or organization would be affected by this final rule and you have questions concerning its provisions or options for compliance, please call LT David Barata, telephone (401) 435-2335.

The Ombudsman of Regulatory Enforcement for Small Business and Agriculture and 10 Regional Fairness Boards were established to receive comments from small businesses about

enforcement by Federal agencies. The Ombudsman will annually evaluate such enforcement and rate each agency's responsiveness to small business. If you wish to comment on enforcement by the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 13132, and has determined that these regulations do not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Unfunded Mandates

Under the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538), governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The Coast Guard has considered the environmental impact of these regulations and concluded that under Figure 2-1, paragraph 34(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from

further environmental documentation. A written Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in CFR Part 165

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For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T00-190 to read as follows:

§ 165.T00-190 Safety and Security Zones: Presidential Visit; Martha's Vineyard, MA.

(a) *Location.* The following area is a moving safety zone and a security zone: A five hundred (500) yard radius around the President of the United States at all times designated by the Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer.

(b) *Effective date.* This rule is effective from 6 a.m. on Tuesday, August 1, 2000, until 12 midnight on Tuesday, August 8, 2000. The security and safety zones established by this regulation will be activated by the Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer as necessary to protect the President and the public. As appropriate, notice of the activation of these zones may be made via loud hailer, Channels 16 and 22 VHF, or through Safety Marine Information Broadcasts.

(c) *Regulations.* (1) In accordance with the general regulations in §§ 165.23 and 165.33 of this part, entry into or movement within these zones is prohibited unless authorized by the COTP Providence or the Coast Guard Presidential Security Detail Senior Duty Officer.

(2) All persons and vessels shall comply with the instructions of the COTP, the Coast Guard Presidential Security Detail Senior Duty Officer, or the designated on-scene U.S. Coast Guard patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(3) The general regulations covering safety and security zones in section §§ 165.23 and 165.33, respectively, of this part apply.

Dated: July 27, 2000.

Mark G. Vanhaverbeke,

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

[FR Doc. 00-20126 Filed 8-4-00; 3:08 pm]

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POSTAL SERVICE

39 CFR Part 111

Preparation Changes for Palletized Standard Mail (A) and Bound Printed Matter and for Standard Mail (A) and Standard Mail (B) Claimed at DBMC Rates

AGENCY: Postal Service.

ACTION: Amended final rule.

SUMMARY: On May 19, 2000, the Postal Service published in the **Federal Register** (65 FR 31815) a final rule setting forth Domestic Mail Manual (DMM) standards adopted by the Postal Service requiring mailers to utilize one Labeling List (L605) for palletized mailings of Standard Mail (A) packages of flats, letter trays, and sacks prepared on pallets, regardless of whether the mail is prepared for entry at destination bulk mail center (DBMC) rates; to require mailers to utilize Labeling List L605 for Standard Mail (A) and Standard Mail (B) machinable parcels prepared in sacks or on pallets for pieces claimed at DBMC rates; to implement package reallocation between auxiliary service facilities (ASFs) and BMCs for Standard Mail (A) packages of flats placed on pallets; and to utilize Labeling List L605 for the preparation of all Standard Mail (B) that is claimed at DBMC rates and for Bound Printed Matter other than machinable parcels prepared on pallets.

This document amends the final rule by requiring mailers to utilize revised Labeling List L602—ASFs and Labeling List L601—Bulk Mail Centers instead of L605 for palletized mailings of Standard Mail (A) and Bound Printed Matter packages of flats, letter trays (Standard Mail (A) only), and sacks prepared on pallets, regardless of whether the mail is prepared for entry at DBMC rates. Labeling Lists L601 and L602 will be used together for Standard Mail (A) and Standard Mail (B) machinable parcels prepared in sacks or on pallets when DBMC rates are claimed for mail deposited at both ASFs and BMCs. Only Labeling List L601 will be used to prepare machinable parcels when no mail for ASFs is claimed at DBMC rates.

DATES: *Effective Date:* December 15, 2000.

Implementation Date: It is anticipated that the implementation of the rates resulting from the R2000-1 rate case will be sometime in early January 2001. Compliance with this rule will be required on the date that coincides with implementation of the rates resulting from the R2000-1 rate case, and notice of that implementation date will be published in the **Federal Register**. Until such notice is published, compliance with this rule is optional beginning on December 15, 2000.

FOR FURTHER INFORMATION CONTACT:

Karen A. Magazino, (202) 268-3854 or Cheryl Beller, (202) 268-5166.

SUPPLEMENTARY INFORMATION: On May 19, 2000, the Postal Service published a final rule (65 FR 31815) that required mailers to use Labeling List L605 for all Standard Mail (A) flats, letter trays, and sacks prepared on pallets regardless of whether DBMC rates are claimed. This amended final rule will instead require mailers to use revised Labeling List L602—ASFs when there is sufficient volume to create an ASF pallet, and Labeling List L601—Bulk Mail Centers when there is not sufficient volume for an ASF pallet to be prepared.

This will ensure that the eight ASFs always are included in presort logic hierarchy and that ASF pallets are prepared when the volume warrants and will also prevent mail for an ASF and/or its parent BMC service area from falling to sacks. For trays and sacks on pallets it will also prevent mail from falling to a mixed BMC pallet when there is sufficient volume to prepare a DBMC pallet using Labeling List L601 although the volume does not warrant a separate ASF pallet.

Using L601 and L602 together will benefit the Postal Service and mailers by reducing the volume of sacked mail likely to be deposited at origin. It will also provide more opportunities for mailers to create ASF and BMC pallets that can be drop shipped or cross-docked to destination entry facilities, including BMC pallets that contain mail for offshore ZIP Codes, because L601 includes those ZIP Codes within their respective BMC service areas.

As noted in 65 FR 31815 (May 19, 2000), mail for offshore ZIP Codes and for ASF ZIP Codes prepared on destination BMC pallets using L601 will continue to be ineligible for DBMC rates.

Utilization of Labeling Lists L601 and Revised L602 for Preparation of Standard Mail (A)

If mailers were to use Labeling List L605, as provided in the original final rule, when there is not sufficient

volume to warrant creation of an ASF pallet, then packages of Standard Mail (A) flats for the ASF would be required to be prepared in sacks. Trays or sacks would fall to mixed BMC pallets. In addition, if mailers were to use L605 when there is insufficient volume to prepare an ASF pallet or a separate pallet for the parent BMC, then packages of flats will fall to sacks, and trays and sacks will fall to mixed BMC pallets, even if there is sufficient volume to create a DBMC pallet by combining the mail for the ASF and the parent BMC. This would occur because the ASF service area ZIP Codes are not included with the parent BMC service areas on Labeling List L605 as they are on Labeling List L601.

Upon further review of the standards prescribed in the original final rule, the Postal Service, presort software vendors, and mailers who are members of the MTAC Presort Optimization Work Group that originally proposed these changes agreed that the standards would not be optimal. It was agreed that the original intent was to create ASF pallets when volume warranted and to allow mailers to place offshore mail with mail for the parent BMC. Using revised Labeling List L602, which includes only the ASFs, in conjunction with Labeling List L601 will ensure that this outcome is fully realized and will have the added benefit of keeping packages of flats from falling to sacks and sacks and trays from falling to mixed BMC pallets when volume warrants.

The following are examples of outcomes that would result from using Labeling List L605, as prescribed in the original final rule:

(1) A mailing contains 220 pounds of mail for the Buffalo ASF service area and 300 pounds for the Pittsburgh BMC service area. All mail would fall to sacks if presort software parameters are set at the required minimum pallet weight of 500 pounds.

(2) A mailing includes 50 pounds of mail for the Buffalo ASF service area and 600 pounds for the Pittsburgh BMC service area. A Pittsburgh BMC pallet would be prepared, but the Buffalo mail would fall to sacks.

(3) A mailing contains 700 pounds of mail for Buffalo ASF and 200 pounds for Pittsburgh BMC. A Buffalo ASF pallet would be prepared and the Pittsburgh mail would fall to sacks.

In lieu of using Labeling List L605, and instead using Labeling Lists L602 (revised) and L601 together, as set forth in this amended final rule, all mail in examples (1) and (2) above will be prepared on a destination BMC Pittsburgh pallet and no mail will be prepared in sacks. This will provide