

Dated: June 18, 2019.

Richard E. Ashooh,
Assistant Secretary for Export
Administration.

[FR Doc. 2019-13245 Filed 6-21-19; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 338

[Docket ID: DOD-2019-OS-0013]

RIN 0790-AK55

Availability to the Public of Defense Nuclear Agency (DNA) Instructions and Changes Thereto

AGENCY: Defense Threat Reduction Agency (DTRA), Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: This final rule removes an obsolete DoD regulation (last updated on December 10, 1991) which provides information related to public requests for Defense Nuclear Agency (DNA) records. DNA is an obsolete predecessor organization of DTRA. As a result, this part should be removed.

DATES: This rule is effective on June 24, 2019.

FOR FURTHER INFORMATION CONTACT: Todd A. Cimbura at 571-616-5941.

SUPPLEMENTARY INFORMATION: It has been determined that publication of this rule for public comment is impracticable, unnecessary, and contrary to public interest since it is based on the removal of obsolete information. Due to the disestablishment of the DNA and the eventual incorporation of its successor organization into DTRA, 32 CFR part 338 (last updated on December 10, 1991 at 56 FR 64482) is obsolete. Additionally, the public retains the ability to obtain information using established DoD Freedom of Information Act procedures outlined in 32 CFR part 286, "DoD Freedom of Information Act (FOIA) Program," by submitting a request to DTRA's FOIA Office at <http://www.dtra.mil/Home/Freedom-of-Information-Act-and-Privacy-Act/>.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review," therefore E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs" does not apply.

List of Subjects in 32 CFR Part 338

Freedom of information.

PART 338—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 338 is removed.

Dated: June 17, 2019.

Shelly E. Finke,

Alternate OSD Federal Register Liaison
Officer, Department of Defense.

[FR Doc. 2019-13199 Filed 6-21-19; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2019-0457]

Special Local Regulations; Seattle Seafair Unlimited Hydroplane Race, Lake Washington, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: This year the Seattle Seafair Unlimited Hydroplane Race Special Local Regulation on Lake Washington, WA will be subject to enforcement from 7 a.m. until 7 p.m. daily, from August 1 through August 4. This action is necessary to ensure public safety from the inherent dangers associated with high-speed, hydroplane races, while allowing race area access for rescue personnel in the event of an emergency. While these regulations are subject to enforcement, no person or vessel will be allowed to enter Zone 1 of the regulated area without the permission of the Captain of the Port, on-scene Patrol Commander, or her Designated Representative.

DATES: The regulations in 33 CFR 100.1301 will be subject to enforcement from 7 a.m. until 7 p.m. on August 1, 2019, through August 4, 2019.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Lieutenant Ellie Wu, Sector Puget Sound Waterways Management Division, Coast Guard; telephone 206-217-6051, email SectorPugetSound@uscg.mil.

SUPPLEMENTARY INFORMATION: The Seattle Seafair Unlimited Hydroplane Race special local regulations in 33 CFR 100.1301 will be subject to enforcement daily, from 7 a.m. until 7 p.m., from August 1, 2019, through August 4, 2019. Hydroplane races are scheduled to take place within these time periods.

Under the provisions of 33 CFR 100.1301, the Coast Guard will restrict

general navigation in the following area: All waters of Lake Washington bounded by the Interstate 90 (Mercer Island/Lacey V. Murrow) Bridge, the western shore of Lake Washington, and the east/west line drawn tangent to Bailey Peninsula and along the shoreline of Mercer Island.

The regulated area has been divided into two zones. The zones are separated by a line perpendicular from the I-90 Bridge to the northwest corner of the East log boom and a line extending from the southeast corner of the East log boom to the southeast corner of the hydroplane race course and then to the northerly tip of Ohlers Island in Andrews Bay. The western zone is designated Zone I, the eastern zone, Zone II. (Refer to NOAA Chart 18447).

The Coast Guard will maintain a patrol consisting of Coast Guard vessels, assisted by Coast Guard Auxiliary vessels, in Zone II. The Coast Guard patrol of this area is under the direction of the Coast Guard Patrol Commander (the "Patrol Commander"). The Patrol Commander is empowered to control the movement of vessels on the race course and in the adjoining waters during the periods this regulation is subject to enforcement. The Patrol Commander may be assisted by other federal, state and local law enforcement agencies.

Only vessels authorized by the Patrol Commander may be allowed to enter Zone I during the hours this regulation is subject to enforcement. Vessels in the vicinity of Zone I shall maneuver and anchor as directed by the Patrol Commander.

During the times in which the regulation is subject to enforcement, the following rules will apply:

(1) Swimming, wading, or otherwise entering the water in Zone I by any person is prohibited while hydroplane boats are on the race course. At other times in Zone I, any person entering the water from the shoreline shall remain west of the swim line, denoted by buoys, and any person entering the water from the log boom shall remain within 10 feet of the log boom.

(2) Any person swimming or otherwise entering the water in Zone II shall remain within 10 feet of a vessel.

(3) Rafting to a log boom will be limited to groups of three vessels.

(4) Up to six vessels may raft together in Zone II if none of the vessels are secured to a log boom. Only vessels authorized by the Patrol Commander, other law enforcement agencies or event sponsors shall be permitted to tow other watercraft or inflatable devices.

(5) Vessels proceeding in either Zone I or Zone II during the hours this

regulation is subject to enforcement shall do so only at speeds, which will create minimum wake, 7 miles per hour or less. This maximum speed may be reduced at the discretion of the Patrol Commander.

(6) Upon completion of the daily racing activities, all vessels leaving either Zone I or Zone II shall proceed at speeds of 7 miles per hour or less. The maximum speed may be reduced at the discretion of the Patrol Commander.

(7) A succession of sharp, short signals by whistle or horn from vessels patrolling the areas under the direction of the Patrol Commander shall serve as signal to stop. Vessels signaled shall stop and shall comply with the orders of the patrol vessel; failure to do so may result in expulsion from the area, citation for failure to comply, or both.

The Captain of the Port may be assisted by other federal, state and local law enforcement agencies in enforcing this regulation.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: June 18, 2019.

L.A. Sturgis,

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

[FR Doc. 2019-13273 Filed 6-21-19; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2019-0367]

RIN 1625-AA00

Safety Zone; Tuskegee Airmen River Days Air Show, Detroit River, Detroit, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters in the vicinity of Detroit, MI. This zone is necessary to protect spectators and vessels from potential hazards associated with the Tuskegee Airmen River Days Airshow.

DATES: This temporary final rule is effective from 12:30 p.m. on June 21, 2019 until 8 p.m. on June 24, 2019.

ADDRESSES: To view documents mentioned in this preamble as being

available in the docket, go to <http://www.regulations.gov>, type USCG-2019-0367 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or email Tracy Girard, Prevention Department, Sector Detroit, Coast Guard; telephone 313-568-9564, or email Tracy.M.Girard@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Detroit
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b) (B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable. The Coast Guard did not receive the final details of this air show in time to publish an NPRM. As such, it is impracticable to publish an NPRM because we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule and immediate action is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the airshow is conducted.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would inhibit the Coast Guard’s ability to protect participants, mariners and vessels from the hazards associated with this event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Detroit (COTP) has

determined that an aircraft aerial display proximate to a gathering of watercraft poses a significant risk to public safety and property. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the airshow is being displayed.

IV. Discussion of the Rule

This rule establishes a safety zone from 12:30 p.m. on June 21, 2019 until 8 p.m. on June 24, 2019. The safety zone will encompass all U.S. navigable waters of the Detroit River between the following two lines extending from 70 feet off the bank to the US/Canadian demarcation line: The first line is drawn directly across the channel at position 42°18.995’ N, 083° 04.285’ W (NAD 83); the second line, to the east, is drawn directly across the channel at position 42°19.574’ N 083°02.622’ W (NAD 83). No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, duration, and time-of-year of the safety zone. Vessel traffic will be able to safely transit around this safety zone which will impact a small designated area of the Detroit River for no more than four hours per day from 12:30 p.m. on June 21, 2019 until 8 p.m. June 24, 2019. Moreover, the Coast Guard will issue Broadcast Notice to Mariners (BNM) via VHF-FM marine channel 16 about the zone and the rule allows vessels to seek permission to enter the zone.