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DEPARTMENT OF COMMERCE

Office of the Secretary

15 CFR Part 4

[Docket No. 060518134-6246-02]

RIN 0605-AA22

Disclosure of Government Information; Responsibility for Responding to Freedom of Information Act Requests

AGENCY: Department of Commerce.

ACTION: Final rule.

SUMMARY: The Department of Commerce (Commerce) publishes this action to finalize its interim final rule that established the date that the Department uses in identifying those records that it may consider when responding to a Freedom of Information Act request. The Department takes this action pursuant to a court order that enjoined it from further use of its regulations.

DATES: This rule is effective on May 31, 2007.

FOR FURTHER INFORMATION CONTACT: Brenda Dolan, 202-482-3258.

SUPPLEMENTARY INFORMATION: On June 1, 2006, the Department of Commerce published and requested comments on an interim final rule that amended its regulations to establish the date that the Department uses in identifying those records that it may consider when responding to a Freedom of Information Act request (71 FR 31073). The interim final rule revised the regulations to state that the records that are considered responsive to a FOIA request include those records that are within the Department's possession and control as of the date the Department begins its search for those records. We received no public comments on the interim final rule. Therefore, the provisions of the interim final rule published on June 1, 2006 are adopted without change.

Classification

It has been determined that this notice is not significant for purposes of E.O. 12866.

The Department finds good cause to waive the 30-day delay in effectiveness required by 5 U.S.C. 553(d)(3). In order to implement, in a timely manner, the Department's new regulation that establishes the date that the Department uses in identifying those records that it may consider when responding to a request for records, the Department waives the 30-day delay in

effectiveness. If the Department delayed the effectiveness of this action, the Department would violate an April 24, 2006 court order that requires the Department to no longer use the regulations. To ensure timely compliance with the Court's order, the Department makes this rule effective upon publication.

Dated: May 23, 2007.

Brenda Dolan,

Departmental Freedom of Information and Privacy Act Officer.

List of Subjects in 15 CFR Part 4

Freedom of Information and Privacy.

■ For the reasons set forth above, the Department adopts without change the provisions in the interim final rule published on June 1, 2006 (71 FR 31073).

[FR Doc. E7-10435 Filed 5-30-07; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[CGD05-07-012]

RIN 1625-AA08

Special Local Regulations for Marine Events; Sail Virginia 2007, Port of Hampton Roads, VA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is temporarily establishing special local regulations for "Sail Virginia 2007" marine event. This action is necessary to provide for the safety of life on navigable waters before, during, and after Sail Virginia 2007 activities. This special local regulation is intended to restrict vessel traffic in the vicinity of the tall ship parade as the parade transits the Chesapeake Bay, Hampton Roads, the James and Elizabeth Rivers and Norfolk Harbor.

DATES: This rule is effective from 6 a.m. June 8, 2007 to 11 p.m. on June 9, 2007.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket (CGD05-07-012) and are available for inspection or copying at Commander (dpi), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LTJG TaQuitia Winn, U.S. Coast Guard Sector Hampton Roads, at (757) 668-5580.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On March 19, 2007, we published a Notice of proposed rulemaking (NPRM) entitled Special Local Regulations for Marine Events; Sail Virginia 2007, Port of Hampton Roads, Virginia in the **Federal Register** (72 FR 12746). We received no letters commenting on the proposed rule. No public meeting was requested, and none was held.

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 would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, support craft and other vessels transiting the event area. However, advance notifications will be made to affected waterway users via marine information broadcasts, area newspapers, and local radio stations.

Background and Purpose

During the period June 7-12, 2007, the City of Norfolk and Norfolk Festevents Ltd. will sponsor "Sail Virginia 2007", a tall ships marine event. The six-day event will include more than twenty tall ships from around the world in recognition of the Jamestown 1606-1607 voyage, commemorating the 400th anniversary of our nation's birth place. More than 25 tall ships from around the world have been invited to participate.

Planned events in the Port of Hampton Roads include: The arrival of more than 20 tall ships and other vessels at Lynnhaven Anchorage on June 7 and 8, 2007; a Parade of Sail of approximately 20 tall ships and other vessels from their respective anchorages to Town Point Park, downtown Norfolk, on June 8, 2007; fireworks display adjacent to the Norfolk and Portsmouth seawalls on June 9, 2007; and the scheduled departure of the majority of vessels on June 12, 2007. This event will be combined with the annual Norfolk Harborfest held each June.

The parade of sails event planned during this period will be conducted on the waters of the Chesapeake Bay, Hampton Roads the Elizabeth River and Norfolk Harbor, Virginia. Vessels participating in the "Tall Ships Parade of Sails" will rendezvous on June 8, 2007 in the vicinity of Thimble Shoal Channel lighted bell buoy "13" LLNR