

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 230, 232, 239, 270, and 274

[Release No. 33-11238A; 34-98438A; IC-35000A; File No. S7-16-22]

RIN 3235-AM72

### Investment Company Names; Correction

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes a technical correction to the preamble accompanying amendments to the rule under the Investment Company Act of 1940 that addresses certain broad categories of investment company names that are likely to mislead investors about an investment company's investments and risks, as adopted in Release No. IC-35000 (September 20, 2023), which was published in the **Federal Register** on October 11, 2023.

**DATES:** Effective December 11, 2023.

**FOR FURTHER INFORMATION CONTACT:** Mykaila DeLesDernier, Senior Counsel; Amanda Wagner, Senior Special Counsel; or Brian McLaughlin Johnson, Assistant Director, at (202) 551-6792, Investment Company Regulation Office, Division of Investment Management, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-8549.

**SUPPLEMENTARY INFORMATION:** We are making a technical amendment to correct the preamble to Release No. IC-35000. Specifically, in FR doc. 2023-20793, which was published in the **Federal Register** on October 11, 2023, at 88 FR 70436, the following corrections are made:

1. On page 70476, in the second column, revising the first sentence of the first full paragraph to read as follows: "The compliance date for the

final amendments is December 11, 2025, for larger entities, and June 11, 2026, for smaller entities."<sup>434</sup>

2. On page 70493, in the first column, first full paragraph, revising the second to last sentence of that paragraph to read as follows: "The compliance periods for the rules mentioned by commenters, the Shareholder Reports Final Rule and the Money Market Funds Final Rule,<sup>598</sup> culminate in approximately July–October 2024 while the compliance dates for the final rule are December 11, 2025, for larger entities, and June 11, 2026, for smaller entities."

Dated: October 24, 2023.

**Vanessa A. Countryman,**  
*Secretary.*

[FR Doc. 2023-23778 Filed 10-26-23; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF STATE

22 CFR Part 171

[Public Notice 12246]

RIN 1400-AE00

### Public Access to Information; Correction

**AGENCY:** Department of State.

**ACTION:** Final rule; correction.

**SUMMARY:** The Department of State (the Department) is correcting a final rule that appeared in the **Federal Register** on October 18, 2023. The document contained several formatting errors in one of the sections, which could cause confusion when the rule goes into effect on November 17, 2023.

**DATES:** Effective on November 17, 2023.

**FOR FURTHER INFORMATION CONTACT:** Alice Kottmyer, Office of the Legal Adviser, [kottmyeram@state.gov](mailto:kottmyeram@state.gov), 202-647-2199.

**SUPPLEMENTARY INFORMATION:** Effective November 17, 2023, in FR Doc. 2023-22380 in 88 FR 71740 in the **Federal Register** of Wednesday, October 18, 2023, the following corrections are made:

■ 1. On page 71745, beginning in the third column, in § 171.16, paragraph (a) is corrected to read as follows:

#### § 171.16 Fees to be charged

(a) *In general.* The Department will charge fees for processing requests under the FOIA in accordance with the

provisions of this section and with the OMB Guidelines. For purposes of assessing fees, the FOIA establishes three categories of requesters: commercial use requesters, non-commercial scientific or educational institutions or news media requesters, and all other requesters.

\* \* \* \* \*

■ 2. On page 71746, in § 171.16 in paragraph (b), beginning in the first column, remove the definition of "Charging fees".

■ 3. On page 71746, in § 171.16 in paragraph (b), in the second column, in the definition of "Non-commercial scientific institution," remove the words "paragraph (b)(1) of".

■ 4. On page 71746, in § 171.16 in paragraph (b), in the third column, after the definition of "Search", remove paragraphs (i) through (iii) and add paragraphs (c) introductory text and (c)(1) to read as follows:

#### § 171.16 Fees to be charged

\* \* \* \* \*

(c) *Charging fees.* In responding to FOIA requests, the Department will charge the following fees unless a waiver or reduction of fees has been granted under paragraph (j) of this section. Because the fee amounts provided below already account for the direct costs associated with a given fee type, the Department should not add any additional costs to charges calculated under this section.

(1) *Search.* (i) Requests made by educational institutions, non-commercial scientific institutions, or representatives of the news media are not subject to search fees. Search fees shall be charged for all other requesters, subject to the restrictions of paragraph (j) of this section. The Department may properly charge for time spent searching even if responsive records are not located, or if records are determined to be entirely exempt from disclosure.

(ii) For each hour spent by personnel searching for requested records, the fees shall be as stated at the following website: [foia.state.gov/Request/Guide.aspx](https://foia.state.gov/Request/Guide.aspx) (section VII, "Fees") and [www.stateoig.gov/foiafees](https://www.stateoig.gov/foiafees) for OIG requested records.

(iii) For requests that require the retrieval of records stored by the Department at a Federal records center operated by the National Archives and Records Administration (NARA), the

Department will charge additional costs in accordance with the Transactional Billing Rate Schedule established by NARA.

\* \* \* \* \*

**Kevin E. Bryant,**

*Deputy Director, Office of Directives Management, Department of State.*

[FR Doc. 2023-23501 Filed 10-26-23; 8:45 am]

**BILLING CODE 4710-24-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2023-0818]

RIN 1625-AA00

#### Safety Zone; Vessel Launch, San Diego Bay, San Diego, CA

**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 General Dynamics NASSCO shipyard in San Diego Bay, San Diego, CA, during the launch of the USNS Robert Kennedy. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with the launching and subsequent berthing of the USNS Robert Kennedy. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector San Diego.

**DATES:** This rule is effective from 7:30 a.m. on October 28, 2023, through 10:30 a.m. on October 28, 2023.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2023-0818 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Lieutenant Junior Grade Shelley Turner, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone 619-278-7656, email [MarineEventsSD@uscg.mil](mailto:MarineEventsSD@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
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 it is impracticable. It is impracticable to publish an NPRM because we must establish this safety zone by October 28, 2023, to ensure the safety of response personnel and mariners associated with the launching of the USNS Robert Kennedy.

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 be contrary to the public interest because this rule is needed to protect mariners, commercial and recreational waterway users, and the USNS Robert Kennedy from dangers associated with the launching and berthing of the USNS Robert Kennedy on October 28, 2023.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Sector San Diego (COTP) has determined that potential hazards associated with launching of the USNS Robert Kennedy on October 28, 2023, will be a safety concern for anyone in the vicinity of the General Dynamics NASSCO shipyard, San Diego Bay, San Diego, CA. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the USNS Robert Kennedy is being launched.

##### IV. Discussion of the Rule

This rule establishes a safety zone from 7:30 a.m. until 10:30 a.m. on October 28, 2023. The safety zone will be in the vicinity of General Dynamics NASSCO shipyard in San Diego Bay, San Diego, CA. The safety zone will cover all navigable waters, from surface to sea bottom, of the San Diego Bay, CA, created by connecting the following

points: beginning at 32°41.39' N, 117°08.66' W (Point A); thence running southwesterly to 32°41.24' N, 117°09.05' W (Point B); thence running southeasterly to 32°41.05' N, 117°08.73' W (Point C); thence running northeasterly to 32°41.20' N, 117°08.34' W (Point D); thence running northwesterly to the beginning point. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the USNS Robert Kennedy is being launched. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

To seek permission to enter, hail Coast Guard Sector San Diego on VHF-FM Channel 16 or call the 24-hour Command Center at (619) 278-7000. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative. A *designated representative* means a Coast Guard coxswain or petty officer designated by or assisting the Captain of the Port Sector San Diego (COTP) in the enforcement of the safety zone.

The COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs) as appropriate for the enforcement times and dates for the safety zone.

##### 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. This rule has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and limited duration of the safety zone. This safety zone impacts a small, designated area of the San Diego Bay for a very