

Dated: September 9, 2003.  
**Stephen F. Sundlof,**  
*Director, Center for Veterinary Medicine.*  
 [FR Doc. 03-23892 Filed 9-17-03; 8:45 am]  
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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 602**

[TD 9061]

RIN 1545-BB55

**Automatic Extension of Time To File Certain Information Returns and Exempt Organization Returns; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to final and temporary regulations.

**SUMMARY:** This document contains corrections to final and temporary regulations that were published in the **Federal Register** on June 11, 2003 (68 FR 34797), regarding an automatic extension of time to file certain information returns and exempt organization returns under section 6081 of the Internal Revenue Code.

**DATES:** This correction is effective June 11, 2003.

**FOR FURTHER INFORMATION CONTACT:** Charles A. Hall (202) 622-4940 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final and temporary regulations that are the subject of these corrections are under section 6081 of the Internal Revenue Code.

**Need for Correction**

As published, these final and temporary regulations (TD 9061) contain errors that may prove to be misleading and are in need of clarification.

**Correction of Publication**

- Accordingly, the publication of the final and temporary regulations (TD 9061), which were the subject of FR Doc. 03-14603, is corrected to read as follows:
- On page 34799, column 3, § 602.101(b), the entries in the table are corrected to read as follows:

**§ 602.101 OMB Control numbers**

*	*	*	*	*
(b)	*	*	*	

CFR part or section where identified and described	Current OMB control No.
* * * *	*
1.6081-8T .....	1545-1840
1.6081-9T .....	1545-1840
* * * *	*

**Cynthia E. Grigsby,**  
*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedures and Administration).*  
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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

[CGD05-03-129]

RIN 1625-AA08

**Special Local Regulations for Marine Events; James River, Jamestown Beach to First Colony Beach, VA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing temporary special local regulations during the “James River Cancer Swim”, a marine event to be held September 21, 2003 on the waters of the James River, between Jamestown Beach and First Colony Beach, Virginia. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to temporarily restrict vessel traffic in a portion of the James River between Jamestown Beach and First Colony Beach, Virginia during the event.

**DATES:** This rule is effective from 12:45 p.m. to 3:45 p.m. on September 21, 2003.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket, are part of docket CGD05-03-129 and are available for inspection or copying at Commander (oax), 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:** S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) the Coast Guard finds that good cause exists for not publishing an NPRM. The event will take place on September 21, 2003. There is not sufficient time to allow for a notice and comment period, prior to the event. Because of the danger posed to the swimmers competing within a confined area, special local regulations are necessary to provide for the safety of event participants, support craft and other vessels transiting the event area.

For the same reasons, 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 participants, support craft, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. However, advance notifications will be made to affected users of the waterway via marine information broadcasts and area newspapers.

**Background and Purpose**

On September 21, 2003, the College of William and Mary will sponsor the “James River Cancer Swim”. The event will consist of approximately 60 swimmers competing across a portion of the James River between Jamestown Beach and First Colony Beach, Virginia. The competition will begin at the southern shoreline. The participants will swim across to the northern shore, and then return to the finish line on the southern shore. Approximately 10 support vessels will accompany the swimmers. Due to the need for vessel control during the swimming event, the Coast Guard will temporarily restrict vessel traffic in the event area to provide for the safety of participants, support craft and other transiting vessels.

**Discussion of Rule**

The Coast Guard is establishing temporary special local regulations on specified waters of the James River between Jamestown Beach and First Colony Beach, Virginia. The temporary special local regulations will be in effect from 12:45 p.m. to 3:45 p.m. on September 21, 2003. The effect will be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the

Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. Vessel traffic will be allowed to transit the regulated area at slow speed as the swim progresses, when the Coast Guard Patrol Commander determines it is safe to do so. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

### Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, 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 Homeland Security (DHS).

We expect the economic impact of this temporary final rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation restricts vessel traffic transiting a portion of the James River during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect. Extensive advance notifications will be made to the maritime community via marine information broadcasts and area newspapers so mariners can adjust their plans accordingly. In addition, vessel traffic will be allowed to transit the regulated area at slow speed as the swim progresses, when the Coast Guard Patrol Commander determines it is safe to do so.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, 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.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit or anchor in

the effected portion of the James River during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period, from 12:45 p.m. to 3:45 p.m. on September 21, 2003. Vessels desiring to transit the event area will be able to transit the regulated area at slow speed as the swim progresses, when the Coast Guard Patrol Commander determines it is safe to do so. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this temporary rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under **ADDRESSES**.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of

their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### 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 Executive Order 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 will not create an environmental risk to health or risk to safety that might disproportionately affect children.

### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian tribal governments, because it does not have a substantial and direct effect on one or more Indian tribes, on the relationship between the Federal Governments and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

## Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2–1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections. Under figure 2–1, paragraph (34)(h), of the Instruction, an “Environmental Analysis Check List” and a “Categorical Exclusion Determination” are not required for this rule.

### List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add a temporary § 100.35–T05–129 to read as follows:

#### § 100.35–T05–129 James River, Jamestown Beach to First Colony Beach, VA.

(a) *Definitions.*

*Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

*Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Group Hampton Roads with a commissioned, warrant, or petty officer of the Coast Guard on board and displaying a Coast Guard ensign.

*Regulated Area* includes all waters of the James River enclosed by a line drawn southerly from a point on the shoreline at latitude 37° 12' 33' N, longitude 076° 46' 52' W, thence to latitude 37° 10' 58' N, longitude 076° 47' 06' W, thence easterly along the shoreline to latitude 37° 10' 35' N, longitude 076° 46' 42' W, thence northerly to latitude 37° 12' 22' N,

longitude 076° 46' 27' W, thence returning westerly along the shoreline to latitude 37° 12' 33' N, longitude 076° 46' 52' W. All coordinates reference Datum NAD 1983.

(b) *Special Local Regulations.* (1)

Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any official patrol.

(ii) Proceed as directed by any official patrol.

(c) *Enforcement period.* This section will be enforced from 12:45 p.m. to 3:45 p.m. on September 21, 2003.

Dated: September 8, 2003.

**Sally Brice-O'Hara,**

*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*

[FR Doc. 03–23778 Filed 9–17–03; 8:45 am]

**BILLING CODE 4910–15–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[CGD05–03–124]

RIN 1625–AA08

#### Special Local Regulations for Marine Events; Choptank River, Cambridge, MD

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing temporary special local regulations during the “Chesapeake Challenge”, a marine event to be held September 28, 2003 on the waters of the Choptank River at Cambridge, Maryland. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the Choptank River during the events.

**DATES:** This rule is effective from 11:30 a.m. through 4:30 p.m. on September 28, 2003.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket, are part of docket CGD05–03–124 and are available for inspection or copying at Commander (oax), 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:** S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398–6204.

### SUPPLEMENTARY INFORMATION:

#### Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) the Coast Guard finds that good cause exists for not publishing an NPRM. The event will take place on September 28, 2003. There is not sufficient time to allow for a notice and comment period, prior to the event. Because of the danger posed by high-speed power boats competing within a confined area, special local regulations are necessary to provide for the safety of event participants, support craft, spectators and other vessels transiting the event area.

For the same reasons, 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 participants, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. However, advance notifications will be made to affected users of the waterway via marine information broadcasts and area newspapers.

#### Background and Purpose

On September 28, 2003, the Chesapeake Bay Powerboat Association will sponsor the “Chesapeake Challenge”, on the waters of the Choptank River at Cambridge, Maryland. The event will consist of approximately 30 offshore powerboats conducting high-speed competitive races between the Rt. 50 bridge and Oystershell Point. A fleet of approximately 250 spectator vessels is expected to gather nearby to view the competition. Due to the need for vessel control during the event, vessel traffic will be temporarily restricted to provide for the safety of participants, spectators and transiting vessels.

#### Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Choptank River. The temporary regulations will be enforced from 11:30 a.m. to 4:30 p.m. on September 28, 2003, and will restrict general navigation in the regulated area during the event. Except for participants and vessels authorized by the Coast