

**DEPARTMENT OF STATE****22 CFR Part 96****[Public Notice: PN-5200]****RIN 1400-AC00****International Trafficking in Persons: Interagency Sharing of Information and Coordination of Activities****AGENCY:** State Department.**ACTION:** Final rule.

**SUMMARY:** This rule implements Section 105 of the Trafficking Victims Protection Act of 2000, as amended by the Trafficking Victims Protection Reauthorization Act of 2003. In particular, this rule establishes guidelines to carry out the sharing of information on all matters relating to grants, grant policies, or other significant actions regarding the international trafficking in persons, to the extent permitted by law. The intended effect of this rule is to enhance interagency communication on policies and programs that address international trafficking in persons.

**DATES:** This rule is effective September 22, 2005.

**ADDRESSES:** You may submit comments, identified by any of the following methods:

- E-mail: [TIPprograms@state.gov](mailto:TIPprograms@state.gov) You must include the RIN in the subject line of your message.
- Mail (paper, disk, or CD-ROM submissions): Department of State, Office to Monitor and Combat Trafficking in Persons (SA-22), 1800 G St. NW., Suite 2201, Washington, DC 20520.

- Fax: 202-312-9637

- Hand Delivery or Courier:

Department of State, Office to Monitor and Combat Trafficking in Persons (SA-22), 1800 G St. NW., Suite 2201, Washington, DC 20520.

Persons with access to the internet may also view this notice by going to the regulations.gov web site at: <http://www.regulations.gov/index.cfm>.

**FOR FURTHER INFORMATION CONTACT:**

Department of State, Office to Monitor and Combat Trafficking in Persons (SA-22), 1800 G St. NW., Suite 2201, Washington, DC 20520;  
[TIPprograms@state.gov](mailto:TIPprograms@state.gov).

**SUPPLEMENTARY INFORMATION:** The Trafficking Victims Protection Reauthorization Act of 2003 created a requirement that the President promulgate regulations to implement Section 105 of the Trafficking Victims Protection Act of 2000, as amended ("the Act").

Section 105 of the Act calls for the President to establish an Interagency Task Force to Monitor and Combat Trafficking and a Senior Policy Operating Group consisting of senior officials designated as representatives of the appointed members of the Task Force. By Executive Order 13257, dated February 13, 2002, the President established the President's Interagency Task Force to Monitor and Combat Trafficking in Persons ("the Task Force"), which is chaired by the Secretary of State and includes the Administrator of the United States Agency for International Development, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Director of Central Intelligence, and the Director of the Office of Management and Budget. Executive Order 13257 lays out the responsibilities of the Task Force including, among other things, coordinating the implementation of the Act. The Secretary of Homeland Security was added to the Task Force by Executive Order 13286 of February 28, 2003. The Task Force created the Senior Policy Operating Group on December 8, 2003, to coordinate agency activities regarding policies, including grants and grant policies, involving the international trafficking in persons and the implementation of the Act. The Trafficking Victims Protection Reauthorization Act of 2003 amended the Trafficking Victims Protection Act, including by setting out the duties of the Senior Policy Operating Group and requiring the President to promulgate regulations to implement Section 105 (22 U.S.C. 7103(f)(5)).

Executive Order 13333 of March 18, 2004 amends Executive Order 13257 and delegates the task of issuing such regulations to the Secretary of State, and instructs the Senior Policy Operating Group to advise the Secretary of State as to what regulations may be necessary to implement Section 105, including such regulations as may be necessary to carry out the sharing of information on all matters relating to grants, grant policies, or other significant actions regarding the international trafficking in persons (Executive Order 13333, section 4(b)).

**Regulatory Findings***Administrative Procedure Act*

This rule is exempt from notice-and-comment rulemaking in accordance with 5 U.S.C. 553(a)(2), since it concerns "a matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts."

*Regulatory Flexibility Act and Executive Order 13272*

This rule falls outside the definition of "rule" set forth in the Regulatory Flexibility Act (5 U.S.C. 601(2)) and incorporated in Executive Order 13272, Proper Consideration of Small Entities in Agency Rulemaking. Nevertheless, the Department of State has reviewed this rule in accordance with the criteria set forth in the Act (5 U.S.C. 605(b)) and Section 3(b) of the Executive Order, and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities.

*Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any year and it will not significantly or uniquely affect small governments. Moreover, the rule falls outside the definition of "rule" set forth in the Unfunded Mandates Reform Act of 1996 (2 U.S.C. 658(10)), incorporating the definition set forth in the Regulatory Flexibility Act. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

*Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a "major rule" as defined by 5 U.S.C. 804(2), for purposes of congressional review of agency rulemaking under the Small Business Regulatory Enforcement Act of 1996 (5 U.S.C. 801-808). This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign based companies in domestic and export markets.

*Executive Order 12866*

The Department of State does not consider this rule to be a "rule" within the meaning of section 3(d) of Executive Order 12866, Regulatory Planning and Review, nor is it a "significant regulatory action" under Executive Order 12866, section 3(f). While this rulemaking is exempt from Executive Order 12866, the Department has nevertheless reviewed the rule to ensure its consistency with the regulatory

philosophy and principles set forth in that Executive Order.

*Executive Orders 12372 and 13132: Federalism*

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Nor would the rule have federalism implications warranting the application of Executive Orders 12372 and 13132.

*Executive Order 12988: Civil Justice Reform*

The Department of State has reviewed this rule in light of sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

*Paperwork Reduction Act*

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

**List of Subjects**

Administrative practice and procedure.

■ Accordingly, for the reasons set forth in the preamble, 22 CFR Part 96 is added to read as follows:

**PART 96—INTERNATIONAL TRAFFICKING IN PERSONS: INTERAGENCY COORDINATION OF ACTIVITIES AND SHARING OF INFORMATION**

Sec.

96.1 Coordination of Implementation of the Trafficking Victims Protection Act of 2000, as amended.

96.2 Sharing of Information Regarding International Trafficking in Persons.

**Authority:** 22 U.S.C. 7103(f)(5); Executive Order 13257 (as amended by Executive Order 13333).

**§ 96.1 Coordination of Implementation of the Trafficking Victims Protection Act of 2000, as amended.**

The Director of the Office to Monitor and Combat Trafficking in Persons of the Department of State, who is the Chairperson of the Senior Policy Operating Group of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons, shall call meetings of the Senior Policy Operating Group on a regular basis to coordinate activities of Federal departments and agencies regarding policies (including grants and grant policies) involving the international trafficking in persons and

the implementation of the Trafficking Victims Protection Act of 2000, as amended.

**§ 96.2 Sharing of Information Regarding International Trafficking in Persons.**

Each Federal Department or agency represented on the Senior Policy Operating Group shall, to the extent permitted by law, share information on all matters relating to grants, grant policies, or other significant actions regarding the international trafficking in persons. In its coordinating role, the Senior Policy Operating Group shall establish appropriate mechanisms to effect such information sharing.

Dated: September 22, 2005.

**Robert B. Zoellick,**

*Deputy Secretary of State, Department of State.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[CGD09-05-081]

**RIN 1625-AA09**

**Drawbridge Operation Regulations; Fox River, Green Bay, WI and DePere, WI**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is revising the operating regulations for highway drawbridges to establish permanent winter operating hours, and to establish operating regulations for two Canadian National Railway drawbridges, all located over the Fox River in Green Bay and DePere, WI. The revised regulation establishes permanent winter operating schedules for all drawbridges during winter months while still providing for the reasonable needs of navigation.

**DATES:** This rule is effective November 14, 2005.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD09-05-081] and are available for inspection or copying at Commander (obr), Ninth Coast Guard District, 1240 E. Ninth Street, Room 2025, Cleveland, Ohio 44199-2060, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Scot M. Striffler, Bridge Management

Specialist, Ninth Coast Guard District, at (216) 902-6087.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

On August 10, 2005, we published a notice of proposed rulemaking (NPRM) entitled, "Drawbridge Operation Regulations; Fox River, Green Bay, WI and DePere, WI," in the **Federal Register** (70 FR 46441). We received no letters commenting on the proposed rule. No public meeting was requested, and none was held.

**Background and Purpose**

The U.S. Coast Guard, at the request of Wisconsin Department of Transportation (WI-DOT), is modifying the existing operating schedule of the Main Street, Walnut Street, Mason Street (Tilleman Memorial), and George Street highway drawbridges between miles 1.58 and 7.27, and the two Canadian National Railway drawbridges at miles 1.03 and 3.31, respectively, over Fox River. The modified regulation primarily establishes permanent winter operating schedules for each drawbridge in lieu of the annual winter authorization granted by Commander, Ninth Coast Guard District, under the authority of 33 CFR 117.45.

All highway drawbridges are currently required to operate year-round and open on signal, except between the hours of 7 a.m. to 8 a.m., 12 noon to 1 p.m., and 4 p.m. to 5 p.m., Monday through Saturday, except for Federal holidays. This schedule does not apply to public vessels, tugs, and commercial vessels with a cargo capacity of 300 short tons or over, which are passed at all times. As noted, these drawbridges were granted yearly authorization to alter their operating schedules between December 15 and April 1 since approximately 1992.

The railroad drawbridges operated by Canadian National Railway at miles 1.03 and 3.31 over Fox River are swing bridges and currently have no permanent operating regulations, which requires the drawbridges to open on signal for vessels year-round, 24 hours per day. The Ninth Coast Guard District has also granted a yearly winter operating schedule for the railroad drawbridges from December 15 to April 1 each year since approximately 1992.

WI-DOT requested that the Coast Guard implement a permanent winter operating schedule for the Walnut Street and Mason Street (Tilleman Memorial) drawbridges between December 1 and April 1 each year. The Coast Guard expanded the review of all drawbridge regulations on Fox River to include the