

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 that section.

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—REGATTAS AND MARINE PARADES

■ 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–T05–078 to read as follows:

#### § 100.35–T05–078, Patapsco River, Inner Harbor, Baltimore, MD.

(a) *Definitions:* The following definitions apply to this section; (1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Sector Baltimore.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) *Participant* includes all vessels participating in the Red Bull Flugtag Baltimore under the auspices of a Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Sector Baltimore.

(4) *Regulated area* includes the waters of the Patapsco River, Baltimore, MD, Inner Harbor within the immediate vicinity of the southwest corner of the harbor adjacent to the Maryland Science Center. The area is bounded on the south and west by the shoreline promenade, bounded on the north by a line drawn along latitude 39°16'58" North and bounded on the east by a line drawn along longitude 076°36'36.5" West. All coordinates reference Datum NAD 1983.

(b) Special local regulations: (1) Except for event participants and 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.

(iii) When authorized to transit the regulated area, all vessels shall proceed at the minimum speed necessary to maintain a safe course that minimizes wake near the event area.

(c) *Effective period.* This section will be enforced from 10:30 a.m. to 5:30 p.m. on October 21, 2006.

Dated: September 27, 2006.

Larry L. Hereth,

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

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 46 CFR Part 1

[USCG-2006-24520]

RIN 1625-AB03

#### Coast Guard Organization; Activities Europe; Correction

**AGENCY:** Coast Guard, DHS.

**ACTION:** Correcting amendment.

**SUMMARY:** Final rule USCG-2006-24520, related to the Coast Guard's organization for marine safety functions, as affected by a change in the operational and administrative control of Activities Europe, was published in the **Federal Register** of June 22, 2006 (71 FR 35816). That final rule document contained an error that unintentionally resulted in the removal of several paragraphs of text in the Code of Federal Regulations. This final rule corrects that omission.

**DATES:** Effective on October 12, 2006.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Mr. D. Skewes, Coast Guard, telephone 202-267-0418 or e-mail [DSkewes@comdt.uscg.mil](mailto:DSkewes@comdt.uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

**SUPPLEMENTARY INFORMATION:** The Coast Guard published a document in the

**Federal Register** of June 22, 2006 (71 FR 35816) amending, among other sections, 46 CFR 1.01-15 (a). The amendment inadvertently deleted paragraphs (a)(1) and (a)(2), concerning the activities of Marine Safety and Boating Safety Divisions. This correction restores the inadvertently deleted paragraphs.

#### List of Subjects in 46 CFR Part 1

Administrative practice and procedure, Organization and functions (Government agencies), Reporting and recordkeeping requirements.

■ Accordingly, 46 CFR part 1 is corrected by making the following correcting amendment:

#### PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

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

**Authority:** 5 U.S.C. 552; 14 U.S.C. 633; 46 U.S.C. 7701; 46 U.S.C. Chapter 93; Pub. L. 107-296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1; § 1.01-35 also issued under the authority of 44 U.S.C. 3507.

■ 2. Revise paragraph (a) of § 1.01-15 to read as follows:

#### § 1.01-15 Organization; Districts; National Maritime Center.

(a) To assist the District Commander, and the Atlantic Area Commander with respect to Activities Europe, in carrying out the regulatory and enforcement aspects of marine safety, there is assigned to each District Commander and to the Atlantic Area Commander a staff officer designated as Chief, Marine Safety Division. The chain of military command is from the District Commander to each Officer in Charge, Marine Inspection, within the district and from the Atlantic Area Commander to the Officer in Charge, Activities Europe. The Chief of the Marine Safety Division is a staff officer assigned to the District Commanders and Atlantic Area Commander, and acts only on the basis of the authority and direction of the District Commanders, and the Atlantic Area Commanders with respect to Activities Europe.

(1) The Chiefs, Marine Safety Division, in the District Offices, under the supervision of their respective District Commanders, direct the activities of their district relative to vessel, factory and shipyard inspections; reports and investigations of marine casualties and accidents; processing of violations of navigation and vessel inspection laws; the licensing, certificating, shipment and discharge of seamen; the investigation and

institution of proceedings looking to suspension and revocation under 46 U.S.C. chapter 77 of licenses, certificates, and documents held by persons; and all other marine safety regulatory activities except those functions related to recreational boating when under the supervision of the Chiefs, Boating Safety Division, in the District Offices.

(2) Unless otherwise provided for, the Chiefs, Boating Safety Division, in the District Offices, under the supervision of their respective District Commanders, direct the activities in their districts relative to administration of the law enforcement program applicable to uninspected vessels used for recreational purposes and the imposition and collection of penalties in connection therewith; maintain liaison with Federal and State agencies having related interests; develop and coordinate agreements and arrangements with Federal and State agencies for cooperation in the enforcement of State and Federal laws related to recreational boating; and review investigative reports of recreational boating accidents.

\* \* \* \* \*

Dated: October 5, 2006.

**S.G. Venckus,**

Chief, Office of Regulations and Administrative Law, United States Coast Guard.

[FR Doc. E6-16904 Filed 10-11-06; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 2 and 80

[WT Docket No. 04-344; FCC 06-108]

#### Maritime Communications

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission designates VHF maritime Channels 87B (161.975 MHz) and 88B (162.025 MHz) for Automatic Identification Systems (AIS). The designation of Channels 87B and 88B for AIS in the United States is consistent with establishment of a seamless global AIS framework, and will facilitate the broad, efficient and effective implementation of AIS in U.S. territorial waters. The intended effect of this action is to maximize the benefits of AIS for United States homeland security and maritime safety.

**DATES:** Effective November 13, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey Tobias, *Jeff.Tobias@FCC.gov*, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, (202) 418-0680, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission's *Report and Order*, FCC 06-108, adopted on July 20, 2006, and released on July 24, 2006. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by sending an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or by calling the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

1. In the *Report and Order*, the Commission affirms its tentative conclusion that, in light of current circumstances, the public interest would be served by designating Channel 87B for exclusive AIS use on a wideband simplex basis. Such an approach would result in both Channel 87B and the Federal Government Channel 88B being available for AIS use in U.S. territorial waters, just as they are used for that purpose internationally. Most commenters continue to favor this approach. However, MariTEL and a few other commenters oppose the designation of Channel 87B for AIS in the wideband simplex mode. These commenters contend that the use of duplex channels for AIS in the United States is technically feasible and should be preferred over wideband simplex AIS operation on Channel 87B because it would cause less disruption to existing VPC operations, preserve the efficiency benefits of duplex channelization throughout the VPC band, maximize the spectrum available for VPC communications, facilitate the implementation of wide-area VPC systems, reduce coordination requirements, permit VPC licensees to make full use of Channel 87, and minimize AIS interference to and from VPC operations. These comments focus primarily on the comparative impact on VPC operations of the various AIS channel designation options, but the Commission believes it is at least as important, if not more so, to consider the impact its decisions herein will have

on AIS, a service specifically intended to enhance maritime domain awareness and navigational safety.

2. In the *Notice of Proposed Rule Making* in this proceeding (*AIS NPRM*), the Commission offered a number of reasons why it believed that the designation of Channel 87B for domestic AIS use on a wideband simplex basis would best promote the widespread, efficient and effective use of AIS, and thus the public interest in promoting and enhancing homeland security and maritime safety. Neither the comments to the *AIS NPRM* nor anything else in the record of this proceeding undermine the Commission's tentative conclusion that it would serve the public interest to designate Channel 87B for wideband simplex AIS use in the United States. Of critical importance, adoption of the Commission's proposal permits seamless worldwide AIS operations. As NTIA notes, use of Channels 87B and 88B for AIS communications in U.S. territorial waters will facilitate Coast Guard coordination with other nations in tracking and monitoring vessels.

3. In addition, the Commission remains concerned about the negative consequences that would arise if it does not designate Channel 87B for AIS use in the United States, because vessels on international voyages would have to switch from Channel 87B to other channels when entering U.S. territorial waters. As the Commission explained in the *AIS NPRM*, requiring vessels to switch channels as they transit an AIS "fence" between international and U.S. waters would create a risk that AIS tracking of such vessels, by both shore stations and other ship stations, would be interrupted. This temporary disappearance of vessels from AIS screens as they transit the AIS fence increases the risk of vessel collisions and creates a potential vulnerability in the Nation's maritime domain awareness. MariTEL concedes that the resultant need of vessels to switch channels when entering U.S. waters could be "problematic," but argues that it should not preclude use of duplex channels for AIS in the United States. The Commission continues to believe that the potential risks of "losing" vessels from AIS screens when they first enter U.S. territorial waters, especially in busy maritime areas where port security is critical, is a significant factor disfavoring the use of channels other than Channel 87B for AIS in the United States, even if, as MariTEL speculates, foreign vessels would eventually "become accustomed to switching to the U.S. AIS channels when they approach U.S. waters."