

unaccredited educational institution seeks to be designated a qualifying educational institution.

(d) The required documentation must be sent to the following address: Office of the Assistant Secretary of Defense for Reserve Affairs, Attn: DASD(M&P), 1500 Defense Pentagon, Washington, DC 20301-1500.

(e) Applications containing the required documentation may also be submitted at any time from unaccredited educational institutions requesting designation as qualifying educational institutions for prior school years.

Dated: October 16, 1995.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95-26039 Filed 10-20-95; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-95-156]

RIN 2115-AA97

Security Zone: United Nations 50th Anniversary Celebration, United Nations, East River, NY

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a security zone in the waters of the East River, New York. The zone is needed to protect approximately 150 Heads of State and the Port of New York/New Jersey against terrorism, sabotage or other subversive acts and incidents of a similar nature during the United Nations 50th Anniversary Celebration. Entry into or movement within the zone is prohibited unless authorized by the Coast Guard Captain of the Port of New York.

EFFECTIVE DATE: This rule is effective from 7 a.m. on October 22, 1995, until 7 p.m. on October 24, 1995, unless extended or terminated sooner by the Captain of the Port of New York.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander R. Trabocchi, Chief Planning and Readiness Division, Coast Guard Group New York (212) 668-7934.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of this notice are LCDR R. Trabocchi, Project Manager, Coast

Guard Group New York and CDR J. Stieb, Project Attorney, First Coast Guard District, Legal Office.

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing an NPRM, and for making this regulation effective less than 30 days after Federal Register publication. Due to the date that specific, detailed information was made available to the Coast Guard concerning the activities of the Heads of State at the United Nations, there was insufficient time to draft and publish an NPRM that allows for a reasonable comment period prior to the event. The delay encountered if normal rulemaking procedures were followed would be contrary to national security interests as immediate action is needed to protect the Heads of State and the Port of New York/New Jersey.

Background and Purpose

The security zone, requested by the United States Secret Service, is needed to ensure the security of the Heads of State while at the United Nations complex in midtown Manhattan, New York. The United Nations complex, situated along the Manhattan shoreline overlooking the East River, will be used for the United Nations 50th Anniversary Celebration from October 22, 1995 through October 24, 1995. There is a significant national security interest in safeguarding the international relations of the United States, the United Nations complex, and the visiting Heads of State. The security zone will safeguard these interests against terrorism, sabotage or other subversive acts and incidents of a similar nature that could initiate on or near the East River. The security zone will close the East River in a northerly and southerly direction, shore to shore, for approximately 2,350 yards. It provides for an exclusionary area in all waters of the East River north of a line drawn between a point at the foot of East 35th Street, Manhattan, New York, at 40°44'36" N latitude, 073°58'16" W longitude (NAD 1983) and Hunters Point, Long Island City, New York, at 40°44'18" N latitude, 073°57'44" W longitude (NAD 1983); and south of a line drawn shore to shore along the Queensboro Bridge inclusive of all waters east and west of Roosevelt Island, New York, from 7 a.m. until 7 p.m. on October 22, 23, and 24, 1995.

The security zone will be reduced in size to provide protection to the waterfront at the United Nations complex from 7 p.m. until 7 a.m. on October 22 and 23, 1995. This

contracted security zone includes all waters of the East River 100 yards off the east shore of Manhattan, New York, between East 48th Street and East 42nd Street. This area is bounded by the following points: from a point at the foot of East 48th Street at 40°45'06" N latitude, 073°57'53" W longitude (NAD 1983); thence southeasterly 100 yards to a point at 40°45'05" N latitude, 073°57'50" W longitude (NAD 1983); thence southwesterly 100 yards to a point off the foot of East 42nd Street at 40°44'51" N latitude, 073°58'01" W longitude (NAD 1983); thence northwesterly to a point at the foot of East 42nd Street at 40°44'52" N latitude, 073°58'05" W longitude (NAD 1983); thence northeasterly along the Manhattan shoreline to the point of origin. The security zone has been narrowly tailored, in consultation with the United States Secret Service, to impose the latest impact on maritime interests yet provide the level of security deemed necessary to safeguard the international relations of the United States, the United Nations complex, and the Heads of State. All vessels are prohibited from transiting within the security zone unless authorized by the Coast Guard Captain of the Port of New York.

Regulatory Evaluation

This regulation is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The security zone closes a portion of the East River in the vicinity of the United Nations complex to vessel traffic from 7 a.m. on October 22, 1995, until 7 p.m. on October 24, 1995, unless extended or terminated sooner by the Captain of the Port New York. The East River is subjected to a moderate volume of commercial vessel traffic. Although this regulation prevents vessel traffic from transiting the East River from 7 a.m. to 7 p.m. on October 22, 23, and 24, the effect of this regulation will not be significant for several reasons: the duration of the security zone is limited; recreational and some commercial traffic may take an alternate route via

the Hudson and Harlem Rivers; vessels may safely transit the East River east of the zone each evening from 7 p.m. until 7 a.m.; and the extensive, advance notifications that will be made to the maritime community. New York City is in a heightened state of security awareness due to the World Trade Center bombing trials. In view of the potential for threats to the Heads of State and the Port of New York/New Jersey, this regulation provides the minimum degree of security necessary. The United Nations waterfront exposure makes it and its occupants vulnerable to waterborne threats. Landside security spans Manhattan's eastern shoreline, covering approximately the same distance north to south as the security zone provides waterside. The major roadways on Manhattan's east side, the Franklin D. Roosevelt (FDR) Drive and First Avenue, will be closed to vehicular traffic. The waterside security provided by this regulation, in conjunction with the landside security, provides a complete security area around the Heads of State and the United Nations complex. Accordingly, the Coast Guard expects the economic impact of this to be minimal and that a Regulatory Evaluation is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this regulation will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under Section 3 of the Small Business Act (15 U.S.C. 632).

For the reasons set forth in the Regulatory Evaluation, the Coast Guard expects the impact of this regulation to be minimal. The Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this regulation does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2.e. of Commandant Instruction M16475.1B, revised 59 FR 38654, July 29, 1994, the promulgation of this regulation is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and Environmental Analysis Checklist are included in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Temporary Regulation

For reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A temporary § 165.T01-156, is added to read as follows:

§ 165.T01-156 Security Zone: United Nations 50th Anniversary Celebration, United Nations, East River, New York.

(a) *Location.* (1) From 7 a.m. to 7 p.m., the security zone includes all waters of the East River north of a line drawn between a point at the foot of East 35th Street, Manhattan, New York, at 40°44'36" N latitude, 073°58'16" W longitude (NAD 1983) and Hunters Point, Long Island City, New York, at 40°44'18" N latitude, 073°57'44" W longitude (NAD 1983); and south of a line drawn shore to shore along the Queensboro Bridge inclusive of all waters east and west of Roosevelt Island, New York.

(2) From 7 p.m. to 7 a.m., the security zone includes all waters of the East River 100 yards off the east shore of Manhattan, New York, between East 48th Street and East 42nd Street. This area is bounded by the following points: from a point at the foot of East 48th Street at 40°45'06" N latitude, 073°57'53" W longitude (NAD 1983); thence southeasterly 100 yards to a point at 40°45'05" N latitude, 073°57'50" W longitude (NAD 1983); thence southwesterly 100 yards to a point off the foot of East 42nd Street at 40°44'51" N latitude, 073°58'01" W longitude (NAD 1983); thence northwesterly to a point at the foot of

East 42nd Street at 40°44'52" N latitude, 073°58'05" W longitude (NAD 1983); thence northeasterly along the Manhattan shoreline to the point of origin.

(b) *Effective period.* This section is effective from 7 a.m. on October 22, 1995, until 7 p.m. on October 24, 1995, unless extended or terminated sooner by the Captain of the Port New York.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.33 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: October 17, 1995.

T.H. Gilmour,

Captain, U.S. Coast Guard, Captain of the Port of New York.

[FR Doc. 95-26318 Filed 10-19-95; 2:42 pm]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 233

Definition of Post Office Burglary

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: Recent events, including the theft of office equipment from rooms in buildings in which the Postal Service business is conducted, but not post office operations, revealed the need to expand the definition of "burglary of post office" to include all buildings in which Postal Service business is conducted. Therefore it is necessary to amend the CFR to reflect the revised definition.

EFFECTIVE DATE: October 23, 1995.

FOR FURTHER INFORMATION CONTACT: H.J. Bauman, Counsel, Postal Inspection Service, (202) 268-4415.

SUPPLEMENTARY INFORMATION: The Postal Service offers rewards for information and services leading to the arrest and conviction of perpetrators of postal crimes, including the burglary of a post office. Regulations concerning these rewards are published in 39 CFR 233.2. That section, which contains the text of Postal Service Poster 296, Notice of Reward, defines "burglary of post office" as "breaking into, or attempting to break into, a post office, station,