

telecommunications services, electrical power, natural gas, or water and sewer services within the United States.” This amendment will more clearly conform the regulation’s language to the scope of the CTA’s exemption, making it easier for covered entities to understand their compliance obligations.

### III. Public Participation

Because this final rule is a technical clarification that does not change the scope of the public utility exemption, FinCEN believes it is unnecessary to solicit comment on this rule. As explained above in Section II, FinCEN intended the Reporting Rule’s public utility exemption to include telecommunications services providers, as set forth in the CTA, and understood the reference to 26 U.S.C. 7701(a)(33)(A) to include them. This final rule makes FinCEN’s interpretation of the CTA and the Reporting Rule more clear, without altering the legal rights and responsibilities of any person. FinCEN therefore finds that it has good cause to dispense with notice and comment, pursuant to 5 U.S.C. 553(b)(B).

### IV. Effective Date

Because this rule does not impose any obligations on the public, instead simply clarifying an existing exemption’s scope, FinCEN finds good cause for making this rule effective immediately upon publication in the **Federal Register**, as permitted by 5 U.S.C. 553(d)(3).

### V. Compliance With Other Authorities

Executive Orders 12866, 13563, and 14094 direct agencies to assess costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule would not have an annual effect on the economy of \$200 million or otherwise constitute a “significant regulatory action” as defined under section 3(f)(1) of Executive Order 12866, as amended. Accordingly, a regulatory impact analysis is not required.

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act do not apply.

The Regulatory Flexibility Act, Public Law 96–354, applies only to rules for which an agency publishes a general

NPRM pursuant to 5 U.S.C. 553(b).<sup>10</sup> This rule is being immediately published as a final rule; it was not preceded by an NPRM. Therefore, the Regulatory Flexibility Act does not apply to it.

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, requires that an agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by state, local, and Tribal governments, in the aggregate, or by the private sector, of \$184 million or more in any one year.<sup>11</sup> FinCEN has determined that this rule will not result in expenditures by state, local, and tribal governments, or by the private sector, of \$184 million or more. Accordingly, FinCEN has not prepared a budgetary impact statement or specifically addressed regulatory alternatives.

The provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, and its implementing regulations do not apply to this rule because there are no new or revised recordkeeping or reporting requirements.<sup>12</sup>

This rule is not a major rule as defined by the Congressional Review Act, Public Law 104–121.<sup>13</sup> FinCEN, however, is submitting reports under the CRA to both Houses of Congress and to the Comptroller General.

### List of Subjects in 31 CFR Part 1010

Administrative practice and procedure, Aliens, Authority delegations (Government agencies), Banks and banking, Brokers, Business and industry, Commodity futures, Currency, Citizenship and naturalization, Electronic filing, Federal savings associations, Federal-States relations, Foreign persons, Holding companies, Indian—law, Indians, Indians—tribal government, Insurance companies, Investment advisers, Investment companies, Investigations, Law enforcement, Penalties, Reporting and recordkeeping requirements, Small businesses, Securities, Terrorism, Time.

<sup>10</sup> See generally 5 U.S.C. 601 *et seq.*

<sup>11</sup> The U.S. Bureau of Economic Analysis reported the annual value of the gross domestic product (GDP) deflator in 1995 (the year in which UMRA was enacted) as 66.939; and in 2023 as 123.273. See U.S. Bureau of Economic Analysis, “Table 1.1.9. Implicit Price Deflators for Gross Domestic Product” (accessed Sept. 16, 2024). Thus, the inflation adjusted estimate for \$100 million is 123.273 divided by 66.939 and then multiplied by 100, or \$184.157 million.

<sup>12</sup> See generally 44 U.S.C. Chapter 35, 5 CFR part 1320.

<sup>13</sup> 5 U.S.C. 804(2).

### Authority and Issuance

For the reasons set forth in the preamble, part 1010 of chapter X of title 31 of the Code of Federal Regulations is amended as follows:

### PART 1010—GENERAL PROVISIONS

■ 1. The authority citation for part 1010 is revised to read as follows:

**Authority:** 12 U.S.C. 1829b and 1951–1959; 31 U.S.C. 5311–5314, 5316–5336; title III, sec. 314 Pub. L. 107–56, 115 Stat. 307; sec. 2006, Pub. L. 114–41, 129 Stat. 457; sec. 701 Pub. L. 114–74, 129 Stat. 599; sec. 6403, Pub. L. 116–283, 134 Stat. 3388.

■ 2. In § 1010.380, revise paragraph (c)(2)(xvi) to read as follows:

#### § 1010.380 Reports of beneficial ownership information.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(xvi) *Public utility.* Any entity that is a regulated public utility as defined in 26 U.S.C. 7701(a)(33)(A) or (D) that provides telecommunications services, electrical power, natural gas, or water and sewer services within the United States.

\* \* \* \* \*

**Andrea M. Gacki,**

*Director, Financial Crimes Enforcement Network.*

[FR Doc. 2024–23920 Filed 10–17–24; 8:45 am]

**BILLING CODE 4810–02–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2024–0896]

RIN 1625–AA00

#### Safety Zone; Gallagher Station, Ohio River, New Albany, IN

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for all navigable waters from mile marker 607 to 612 of the Ohio River in New Albany, IN. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the demolition at Duke Energy Gallagher Station. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Ohio Valley.

**DATES:** This rule is effective from 8:30 a.m. on October 19, 2024, through 11 a.m. on November 9, 2024. We will enforce the zone from 8:30 a.m. to 11 a.m. on October 19, 2024. However, if the zone is not needed on October 19, 2024, then it will be enforced from 8:30 a.m. to 11 a.m. on November 9, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0896 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 Petty Officer Bryan Crane, U.S. Coast Guard, Sector Ohio Valley, Waterways Division; telephone: 502–779–5335, email: [SECOHV-WWM@uscg.mil](mailto:SECOHV-WWM@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 under the authority in 5 U.S.C. 553(b)(B). This statutory 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.” The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the demolition safety team recently increased the safety exclusion zone to now encompass the navigational channel. This safety zone must be established by October 19, 2024, and there is insufficient time to request public comments and respond to these comments before the safety zone must be established. As such, it is impracticable to publish a NPRM.

Also, 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 impracticable because prompt action is needed to respond to the potential safety hazards associated with the Gallagher Station demolition.

#### 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 Ohio Valley (COTP) has determined that potential hazards associated with the demolition on October 19, will be a safety concern for anyone within mile marker 607 to 612 of the Ohio River in New Albany, IN. In the case that the demolition cannot take place on October 19, 2024, an alternate date of November 9, 2024, will be used for the safety zone and the demolition. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

#### IV. Discussion of the Rule

This rule establishes a temporary safety zone from 8:30 a.m. on October 19, 2024, through 11 a.m. on November 9, 2024. The safety zone will be enforced from 8:30 a.m. to 11 a.m. on October 19, 2024. In the case that the demolition cannot take place on October 19, 2024, then it will be enforced on an alternate date of November 9, 2024. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the demolition is taking place. Debris and a large dust cloud is expected to be present which would impose a major hazard to navigation. Due to the proximity of the McAlpine lock, multiple recreational boat ramps, and the topography of the river in this area, a 5-mile river closure was determined to be necessary. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

#### 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 duration of the safety zone. This action involves a safety zone to protect persons and vessels from potential hazards created by the demolition. This action impacts a 5-mile stretch of the Ohio River for only two and a half hours. If no hazards exist after the demolition takes place, the COTP may allow vessels to transit the area earlier than the proposed closure time. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule would allow vessels to seek permission from the COTP to enter the zone.

##### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. 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.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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 rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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). The Coast Guard will not retaliate against small entities that question or complain

about this rule or any policy or action of the Coast Guard.

### C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, 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 direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### E. 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 (adjusted for inflation) 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.

### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting only 2.5 hours that will prohibit entry from mile marker 607 to 612 on the Ohio River. The time of this

closure may be shortened if the designated representative determines that it is safe for vessels to transit the area. It is categorically excluded from further review under paragraph L60a of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Add § 165.T08–0896 to read as follows:

### § 165.T08–0896 Safety Zone; Ohio River; New Albany, IN.

(a) *Location.* The following area is a safety zone: All navigable waters of the Ohio river from mile marker 607.0 through 612.0.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Sector Ohio Valley (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative;

(2) To seek permission to enter, contact the COTP or the COTP's

representative by VHF Ch. 16. 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.

(d) *Enforcement periods:* This section will be enforced from 8:30 a.m. to 11 a.m. on October 19, 2024, or in the case the demolition cannot take place on that date, then it will be enforced from 8:30 a.m. to 11 a.m. on an alternate date of November 9, 2024.

Dated: October 15, 2024.

**Heather R. Mattern,**

*Captain, U.S. Coast Guard, Captain of the Port Sector Ohio Valley.*

[FR Doc. 2024–24283 Filed 10–16–24; 4:15 pm]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 165

[Docket Number USCG–2024–0863]

RIN 1625–AA00

### Safety Zone; NAS Jax Air Show; St. John's River, Jacksonville, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for certain navigable waters within St. John's River in Jacksonville, FL. This action is necessary to provide for the safety of life on these navigable waters during the Naval Air Station Jacksonville Air Show. Entry of vessels or persons into this safety zone is prohibited unless specifically authorized by the Captain of the Port Sector Jacksonville or a designated representative.

**DATES:** This rule is effective from October 18, 2024 through October 20, 2024, from 8 a.m. to 5 p.m. each day.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0863 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 on this rule, call or email Marine Science Technician First Class Joshua Will, Waterways Management Division, U.S. Coast Guard; telephone 904–714–7661, email [Joshua.H.Will@uscg.mil](mailto:Joshua.H.Will@uscg.mil).

**SUPPLEMENTARY INFORMATION:**