

2021 Jefferson Davis Highway, Arlington, Virginia.

(13) United States Travel and Tourism Administration, Freedom of Information Request Control Desk, U.S. Department of Commerce, room H1520, 14th Street and Constitution Avenue, NW, Washington, DC 20230. Phone (202) 482-3811."

Appendix C to Part 4—[Removed]

13. Appendix C is removed.

PART 4a—CLASSIFICATION, DECLASSIFICATION, AND PUBLIC AVAILABILITY OF NATIONAL SECURITY INFORMATION

14. The authority citation for part 4a continues to read as follows:

Authority: Sec. 5.3(b), E.O. 12356; 47 FR 14874, April 6, 1982; 47 FR 15557, April 12, 1982.

§ 4a.8 [Amended]

15. In § 4a.8(b)(4), remove the words, "All denials of information under the Freedom of Information Act must be approved by the Office of the Assistant General Counsel for Administration."

16. In § 4a.9 remove paragraphs (e)(2) and (e)(3), redesignate paragraph (e)(4) as (e)(2), and revise paragraph (f) to read as follows:

§ 4a.9 Request under the Privacy Act and the Freedom of Information Act involving classified records.

(f) Receipt of an appeal for reconsideration of denial of a classified record under PA/FOIA: Appeals under this section shall be addressed to the Assistant General Counsel for Administration, or the General Counsel if the Assistant General Counsel for Administration is responsible for the denial. The Assistant General Counsel for Administration or the General Counsel shall refer the record(s) to the Director, Office of Security, for a declassification review. The Director may overrule previous determinations in whole or in part when, in his or her judgment, continued protection in the interest of national security is no longer required. If the information under review no longer requires classification, it shall be declassified. The Director shall inform the official by whom the referral was made of his or her decision.

PART 4b—PRIVACY ACT

17. The authority citation for part 4b continues to read as follows:

Authority: 5 U.S.C. 552a; 5 U.S.C. 553; 5 U.S.C. 552; 5 U.S.C. 301; 44 U.S.C. 3101; Reorganization Plan No. 5 of 1950.

18. Section 4b.1 is amended by revising paragraphs (d)(1) and (e) to read as follows:

§ 4b.1 Purpose and scope.

* * * * *

(d) * * *

(1) Requests for records which do not pertain to the individual making the request, or the individual about whom the request is made if the requester is the parent or guardian of the individual;

* * * * *

(e) Any request for records which pertains to the individual making the request, or to the individual about whom the request is made if the requester is the parent or guardian of the individual, shall be processed under the Act and this part and under the Freedom of Information Act and the Department's implementing regulations (part 4 of this chapter), regardless of whether the Act or the Freedom of Information Act are mentioned in the request.

19. Section 4b.2(b)(6) is revised to read as follows:

§ 4b.2 Definitions.

* * * * *

(b) * * *

(6) The term *Privacy Officer* means the head of any bureau, office, or division, or his or her superiors. Each Privacy Officer is authorized to receive and act upon any inquiry, request for access, or request for correction or amendment pertaining to a record of his or her bureau, office, or division.

* * * * *

§ 4b.3 [Amended]

20. In § 4b.3(f)(2), remove the words, "General Counsel," and add, in their place, "Assistant General Counsel for Administration".

§ 4b.5 [Amended]

21. In § 4b.5(a)(2), remove the words, "responsible General Counsel," and add, in their place, "Assistant General Counsel for Administration, or the General Counsel if the Assistant General Counsel for Administration is responsible for sending an acknowledgment".

22. In § 4b.5(g)(3)(ii), remove the words, "General Counsel" and add, in their place, "Assistant General Counsel for Administration, or the General Counsel if the Assistant General Counsel for Administration is responsible for the denial".

23. In § 4b.9, paragraph (b) is revised, in paragraphs (c), (e), (h), and (i) remove the words "General Counsel" and add, in their place, "Assistant General Counsel for Administration or the General Counsel" and paragraph (g)(1) is amended by revising the third, fourth and fifth sentences to read as follows:

§ 4b.9 Appeal of initial adverse agency determination on correction or amendment.

* * * * *

(b) An appeal shall be addressed to the Assistant General Counsel for Administration (or the General Counsel if the Assistant General Counsel for Administration is responsible for the denial), Department of Commerce, Room 5876, Washington, DC 20230. The processing of appeals will be facilitated if the words "PRIVACY APPEAL" appear in capital letters on both the envelope and the top of the appeal papers. An appeal not addressed and marked as provided herein will be so marked by Department personnel when it is so identified, and will be forwarded immediately to the Assistant General Counsel for Administration or General Counsel, as appropriate. An appeal which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring the time periods in this section until actual receipt by the Assistant General Counsel for Administration or the General Counsel. In each instance when an appeal so forwarded is received, the Assistant General Counsel for Administration or the General Counsel, as appropriate, shall notify the individual that his or her appeal was improperly addressed and the date when the appeal was received at the proper address.

* * * * *

(g) * * *

(1) * * * Such a statement shall be filed with the Assistant General Counsel for Administration, or the General Counsel if the Assistant General Counsel for Administration is responsible for the final determination. It should provide the Department control number assigned to the request, indicate the date of the final determination and be signed by the individual. The Assistant General Counsel for Administration or the General Counsel shall acknowledge receipt of such statement and inform the individual of the date on which it was received;

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§ 4b.11 [Amended]

24. In § 4b.11(c), remove the words, "U.S. Department of Commerce" and add, in their place "Treasury of the United States".

Sonya Stewart,

Director for Executive Budgeting and Assistance Management.

[FR Doc. 96-3801 Filed 2-20-96; 8:45 am]

BILLING CODE 3510-FA-M

DEPARTMENT OF DEFENSE**Department of the Army****32 CFR Part 339****Announcement of Intent To Issue a Proposed Rulemaking for the DOD Range Rule**

AGENCY: U.S. Army Environmental Center, Department of Defense.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Department of Defense (DOD) announces its intent to formulate a regulation concerning closed, transferred, and transferring military ranges. The regulation will address safety, human health, and the environment on these ranges, and the Proposed Rulemaking is anticipated to be published in the Federal Register in April 1996. The Proposed Rulemaking publication will be followed by a 60 day public comment period.

FOR FURTHER INFORMATION CONTACT: Interested persons who would like to be placed on a mailing list to receive updates and information on DOD's progress on this proposed rule can submit their name and address to: DOD Range Rule, P.O. Box 3430, Gaithersburg, MD 20885-3430.

SUPPLEMENTARY INFORMATION: DOD will be promulgating these regulations under the authorities of 10 U.S.C. 2701, the Defense Environmental Restoration Program, and 10 U.S.C. 172, the Department of Defense Explosive Safety Board.

Juanita H. Maberry,

Alternate, Army Federal Register Liaison Officer.

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that the mechanical and electrical systems of the twin bridges can be overhauled. The proposed closed period is October 1, 1996, to January 31, 1997.

DATES: Comments must be received on or before April 29, 1996.

ADDRESSES: Comments should be mailed to Commander (oan), Thirteenth Coast Guard District, 915 Second Avenue, Seattle, Washington 98174-1067. The comments and other materials referenced in this notice will be available for inspection and copying at 915 Second Avenue, Room 3410, Seattle, Washington. Normal office hours are between 7:45 a.m. and 4:15 p.m., Monday through Friday, except federal holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Plans and Programs Section, Aids to Navigation and Waterways Management Branch, (Telephone: (206) 220-7270).

SUPPLEMENTARY INFORMATION:**Request for Comments**

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD13-96-001) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander, Thirteenth Coast Guard District at the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Drafting Information

The drafters of this notice are Austin Pratt, Project Officer, Thirteenth Coast Guard District Aids to Navigation and Waterfront Management Branch, and Lieutenant Commander John C. Odell,

Project Attorney, Thirteenth Coast Guard District Legal Office.

Background and Purpose

At the request of the Washington State Department of Transportation, the Coast Guard is considering a temporary amendment to the regulations governing the operation of the twin State Route 529 drawbridges across the Snohomish River at Everett, Washington. Currently, these bridges are required to open for the passage of vessels if one hour notice is provided. The proposed temporary regulations would permit the drawspans to remain closed for several months so that the mechanical and electrical systems of the twin bridges can be overhauled. The existing drawbridge operation regulations currently in effect would automatically be restored as soon as the proposed temporary regulations expire.

Discussion of Proposed Rule

The proposed rule would amend 33 CFR 117.1059 by temporarily suspending paragraph (c) and temporarily adding a new paragraph (i) to read that the twin State Route 529 drawbridges across the Snohomish River at Everett, Washington, need not open for the passage of vessels from October 1, 1996, until January 31, 1997. On February 1, 1997, the temporary regulation would terminate and paragraph (c) would again be in effect.

Regulatory Evaluation

This proposed temporary rule is not a significant regulatory action under 3(f) of Executive Order 12866 and does not require an assessment of potential cost 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 proposed rule to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the fact that the commercial users of the waterway can pass under the bridge without an opening during low tide conditions.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant effect on a substantial number of small entities. "Small entities" include independently

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD13-96-001]

Drawbridge Operation Regulations; Snohomish River, Everett, WA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to temporarily amend the regulations governing the operation of the twin State Route 529 drawbridge across the Snohomish River, mile 3.6, at Everett, Washington. The proposed temporary regulations would permit the drawspans to remain closed for several months so