FM-1925 to FM-881; on the west, south on FM-881 to FM-492 then west on FM-492 to FM-2894; south on FM-2894 to old U.S. Highway 83; west on old U.S. Highway 83 to FM-2062; south on FM-2062 to the Rio Grande River.

Progreso

By T.D. 76-339, published in the Federal Register on December 16, 1976 (41 FR 54927), the geographical limits of Progreso, Texas, included the following territory:

Beginning at the intersection of Mile 9 North Road and the Cameron County and Hidalgo County line proceeding in a westerly direction along Mile 9 North Road to its intersection with Mile 6½ West Road, then proceeding in a southerly direction along Mile 6½ West Road and a continuation thereof to its intersection with the United States-Mexico international boundary to its intersection with the Cameron County and Hidalgo County Line, then proceeding in a northerly direction on the Cameron County and Hidalgo County Line, to its intersection with Mile 9 North Road.

The amendment will extend the existing port limits of Progreso to include the following territory:

On the south, the Rio Grande River; on the east, the county line separating Hidalgo and Cameron Counties from the Rio Grande River north to State Highway 107; on the north, State Highway 107 west from the county line to FM (Farm to Market)-1423; and on the west, FM-1423 south from State Highway 107 to the Rio Grande River.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Imports, Organization.

Authority

This change is adopted under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by E.O. No. 10289, September 17, 1951 (3 CFR 1949-1953 Comp. Ch. II) and pursuant to authority provided by Treasury Department Order No. 101-5 (47 FR 2449).

Amendments to the Regulations

PART 101—GENERAL PROVISIONS

1. The authority citation for Part 101, Customs Regulations (19 CFR Part 101), continues to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 1, 66, 1202 (Gen. Hdnote 11), 1624. Reorganization Plan 1 of 1965; 3 CFR 1965 Supp.

2. To reflect these changes, the list of Customs regions, districts, and ports of entry in § 101.3(b), Customs Regulations (19 CFR 101.3(b)), is amended as follows:

a. By removing "(E.O. 3609, Jan. 9, 1922)." from the column headed "Ports of entry" after "Hidalgo" in the Laredo, Texas, Customs district of the Southwest Region, and inserting, in its place, "T.D. 85-164."

b. By removing "including territory described in T.D. 76-339." from the column headed "Ports of entry" after "Progreso" in the Laredo, Texas, Customs district of the Southwest Region, and inserting, in its place, "T.D. 85-164".

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this amendment. Customs routinely establishes, expands, and consolidates Customs ports of entry throughout the U.S. to accommodate the volume of Customs-related activity in various parts of the country. Although this change may have a limited effect upon some small entities in the Hidalgo and Progreso, Texas, areas, it is not expected to be significant because the extension of the limits of Customs ports of entry in other locations has not had a significant economic impact upon a substantial number of small entities to the extent contemplated by the Act. Accordingly, it is certified under the provisions of section 3 of the Act (5 U.S.C. 605(b)) that the amendment will not have a significant economic impact on a substantial number of small entities.

Executive Order 12291

Because the amendment relates to the organization of the Customs Service, pursuant to section 1(a)(3) of E.O. 12291 this proposal is not subject to the E.O.

Drafting Information

The principal author of this document was Glen E. Vereb, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

William von Raab,

Commissioner of Customs.

Approved: August 28, 1985.

David D. Queen,

Acting Assistant Secretary of the Treasury.

[FR Doc. 85-23005 Filed 9-25-85; 8:45 am]

BILLING CODE 4820-02-M

19 CFR Part 142

[T.D. 85-161]

Customs Regulations Amendments Relating to Acceptance of Formal Entries With Unsecured Bonds for Certain Importations

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations relating to acceptance of formal entries with unsecured bonds for certain importations. The amendment gives district directors authority to waive the necessity of having surety or cash deposit on formal entry bonds for commercial importations valued over $250 but not over $2,500. This waiver could only be granted when the importer has not been delinquent or otherwise remiss in any transaction with Customs and the entry summary documentation is filed and estimated duties, if any, are deposited prior to release of the merchandise. Further, the waiver would not apply to (1) quota merchandise, (2) any type of merchandise which cannot be easily appraised or classified, or (3) any type of merchandise where there may be, based on past experience, a question of redelivery. Customs does not believe the minimal risk to the revenue justifies the increased cost to the importing community for a surety on a bond covering merchandise valued at not more than $2,500.

EFFECTIVE DATE: This rule is effective on October 28, 1985.

FOR FURTHER INFORMATION CONTACT:

Legal Aspects: William Rosoff, Carriers, Drawback and Bonds Division (202-566-5856).

Operational Aspects: Herbert Geller, Duty Assessment Division, (202-535-4161), U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229.

SUPPLEMENTARY INFORMATION:

Background

Section 484, Tariff Act of 1930, as amended (19 U.S.C. 1484) generally requires that all commercial imports be covered by a formal entry. One of the listed exceptions in 19 U.S.C. 1484 is for entry under regulations prescribed pursuant to section 498, Tariff Act of 1930, as amended (19 U.S.C. 1498). Section 498 was amended by Pub. L. 98-573, the Trade and Tariff Act of 1984, signed October 30, 1984, to increase to $1,250 the amount of merchandise which may be imported under the informal entry procedures in certain instances.

Section 142.4, Customs Regulations (19 CFR 142.4), provides that, with certain exceptions, merchandise shall not be released from Customs custody at the time Customs receives the entry documentation or the entry summary documentation which serves as both the entry and the entry summary, unless covered by a bond executed by an approved corporate surety or secured by cash deposits or obligations of the United States.

While the imposition of bonding and surety requirements is necessary both in terms of import control and revenue protection for large commercial shipments, Customs believes that the same rationale does not apply to small shipments.

Since February 4, 1980, the North Central Customs Region (Chicago) has been conducting a pilot program of accepting formal entries valued not more than $1,000 without surety on the required bond. The program has been running smoothly with no incidents requiring redelivery of merchandise or the imposition of a penalty.

For the foregoing reasons, Customs believed that there was no justification in terms of cost benefit or public service to support the continued imposition of the bonding requirement for certain entries. Accordingly, on December 21, 1983, a notice of proposed rulemaking (NPRM) was published in the **Federal Register** (48 FR 56401) in which Customs proposed to amend § 142.4, to eliminate the necessity of providing a bond supported by surety or cash deposit on small value shipments (i.e. those valued in excess of $250 but not more than $1,000) which, by law, require a formal entry.

The NPRM proposed to give district directors authority to waive the necessity of having surety or cash deposit on formal entry bonds for commercial importations valued over $250 but not more than $1,000. The NPRM provided that this waiver could only be granted if the importer had not been delinquent or otherwise remiss in any transaction with Customs. Further the waiver would not apply to (1) quota merchandise, (2) any type of merchandise which could not be easily appraised or classified, or (3) any type of merchandise where there may be, based on past experience, a question of redelivery.

Several comments were received in response to the NPRM. Based upon those comments, which are discussed below, and further review of the matter, certain changes have been made to the proposed regulations.

Discussion of Comments

Several commenters were concerned about the possibility of loss of revenue to the Government and suggested that the proposal be modified to require the deposit of duties prior to release of goods.

While it was Customs intention to require deposit of estimated duties prior to release of the merchandise, this was not explicitly stated in the NPRM. To insure that this is understood, § 142.4(c) has been modified to include the requirement for deposit of estimated duties, if any, prior to release of the merchandise. Customs believes that this requirement will not only protect the revenue but will also increase cash flow.

One commenter indicated that, in its opinion, Customs will require additional manpower to enforce the proposal.

Customs does not agree. Customs experience in the Chicago test has not borne out this comment. The purpose of the proposal was to implement Customs operational philosophy of selectivity (i.e. the assessment of risk matched with appropriate enforcement response). Experience demonstrates low delinquency risk in the $251–$2,500 formal entries range. Personnel freed up from review in this area will be more able to concentrate on higher risk activities in merchandise entry. Because the risk has been shown to be minimal up to $2,500, it has been decided to increase the dollar limitation from the $1,000 level proposed in the NPRM to $2,500 in the final rule.

Two commenters raised concern regarding import-sensitive merchandise and opined that liberalizing procedures will increase document irregularities and increase opportunities for fraud.

Customs does not agree. There will be no change in the documentation requirements (i.e. formal entry requirements) under this procedure. The procedure, primarily aimed at one time or infrequent importers, requires documentation currently required to be filed and estimated duty payment, if any, to be made prior to the merchandise being released. This results in better enforcement. An importer following the procedures set forth in this document will be filing an entry summary and relinquishing the immediate release of the merchandise until the documentation is approved by Customs.

Another commenter stated that statistics on imported commodities would be skewed by not including nonsurety bond entries.

Statistical reporting is in no way affected by this procedure. Since entry summary documents are required, Customs will still be in a position to gather statistics on imported commodities.

One commenter stated that the proposal would put Customs in the position of competing with sureties.

Customs is not competing with sureties. Customs will treat low value importations in the same manner as informal entries (i.e. duties paid prior to release of merchandise). This procedure will benefit one time or infrequent importers in clearing Customs with little expense for low value shipments. Further, as other commenters pointed out, the preponderance of formal entries are covered by term bonds. These commenters further noted that the cost for a bond for a regular importer is, considering all other costs, insignificant. Thus, for the routine importer, this procedure will have little or no effect on the costs associated with importing. It is doubtful a regular importer would want a delay, however slight, in the release of its shipment pending documentation review. However, for the one time or infrequent importer, for which this procedure is primarily aimed, the delay may not be considered significant.

Another commenter wanted to know how Customs would regulate entries that fall within the proposal and keep large shipments from being split into low value increments to avoid the need for surety.

Customs will review each entry prior to release of the merchandise to assure compliance with appropriate statutes and regulations. Since this procedure is primarily for one time or infrequent importers, it is doubtful that regular importers, already possessing bonds, would go to the extra expense of splitting shipments to save on surety costs which are probably far less than the costs involved in splitting shipments.

Two commenters suggested that the Chicago pilot program could have been severely abused.

Customs analysis of the Chicago pilot program revealed no abuse or potential for abuse.

Another commenter stated that examination of imports under the procedure should include compliance with marking requirements before release.

Customs agrees. Marking requirements must be met prior to release or a bond with surety will be required. This would fall within the requirement in the final rule that the merchandise not be of a type that could be subject to redelivery.

Finally, one commenter stated that this proposal was one of the alternatives proposed in an October 14, 1983, Federal

Register advanced notice of rulemaking (48 FR 46805) relating to the necessity of requiring surety on Customs bonds, and that no action should be taken until the issues set forth in that document are resolved.

Customs does not agree. The subject matter of this final rule was under development for several months before the October 14, 1983, advance notice was prepared. Because the subject matter overlapped, this matter was included in the October 14, 1983, advance notice. Its inclusion, however, is not a bar from proceeding with this proposal as a separate matter.

In light of the foregoing, the final rule is adopted as set forth below.

Executive Order 12291

These amendments do not meet the criteria for a "major rule" as defined in section 1(b) of E.O. 12291. Accordingly, a regulatory impact analysis is not required.

Regulatory Flexibility Act

In the NPRM it was indicated that the provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) were not applicable to these amendments because the rule, if promulgated, would not have a significant economic impact on a substantial number of small entities. However, public comment was requested on the effects, with numerical estimates of the proposal on costs, profitability, competitiveness, and employment in small entities. An analysis of the comments received has confirmed that the conclusion set forth in the NPRM was correct.

Accordingly, it is certified under the provisions of section 3, Regulatory Flexibility Act (5 U.S.C. 605(b)) that the rule will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The principal author of this document was John E. Elkins, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

List of Subjects in 19 CFR Part 142

Customs duties and inspection, Imports.

Amendments to the Regulations

Part 142, Customs Regulations (19 CFR Part 142), is amended as set forth below.

PART 142—ENTRY PROCESS

1. The general authority citation for Part 142, Customs Regulations (19 CFR Part 142), continues to read as follows:

Authority: 19 U.S.C. 66, 1448, 1484, 1624.

§ 142.4 [Amended]

2. The first sentence of § 142.4(a) is amended by inserting the words "or paragraph (c) of this section," after the words "Except as provided in § 10.101(d) of this chapter".

3. A new paragraph (c) is added to § 142.4 to read as follows:

§ 142.4 Bond requirements.

* * * * *

(c) *Waiver of surety or cash deposit.* (1) The district director may waive the requirement for surety or cash deposit on the bond required by this section when (i) the value of the merchandise which the bond secures does not exceed $2,500, (ii) the entry summary documentation is filed and estimated duties, if any, are deposited prior to release of the merchandise and (iii) the importer has not been delinquent or otherwise remiss in any transaction with Customs. (2) This authority to waive surety or cash deposit does not apply to (i) quota merchandise, (ii) any type of merchandise which, in the opinion of the district director, cannot be easily appraised or classified, or (iii) any type of merchandise where there may be, in the opinion of the district director based on past experience, as question of redelivery.

William von Raab,

Commissioner of Customs.

Approved: August 28, 1985.

David D. Queen,

Acting Assistant Secretary of the Treasury.

[FR Doc. 85-23008 Filed 9-25-85; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

[Reg. No. 16]

Supplemental Security Income for the Aged, Blind, and Disabled

AGENCY: Social Security Administration, HHS.

ACTION: Final rule.

SUMMARY: This regulation reflects the provisions of section 2611 of Pub. L. 98-369, the Deficit Reduction Act of 1984, which amended section 1611(a) of the Social Security Act (the Act). Section 2611 provides for increasing the Supplemental Security Income (SSI) resource limitations by $100 for an individual and $150 for a couple each year from January 1985 to January 1989. On January 1, 1989, and continuing, the resource limits will be $2,000/$3,000 respectively.

EFFECTIVE DATE: This regulation is effective January 1, 1985.

FOR FURTHER INFORMATION CONTACT: Henry D. Lerner, Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone (301) 594-7463.

SUPPLEMENTARY INFORMATION: Sections 1611(a)(1)(B) and 1611(a)(2)(B) of the Act formerly provided that an individual with no spouse may be eligible if his or her resources, other than those excluded under section 1613(a) of the Act, do not exceed $1,500, and that if the individual has an eligible spouse, or an ineligible spouse with whom he or she is living, he or she may be eligible if their resources do not exceed $2,250. Current regulations in § 416.1205 provide for the same dollar limits.

This regulation revises § 416.1205 to reflect section 2611 of Pub. L. 98-369. Section 2611 amends section 1611(a) of the Act by increasing the $1,500/$2,250 (individual/couple) dollar limits for resources to $1,600/$2,400 effective January 1, 1985, $1,700/$2,550 effective January 1, 1986, $1,800/$2,700 effective January 1, 1987, $1,900/$2,850 effective January 1, 1988, and $2,000/$3,000 effective January 1, 1989. Conforming changes have also been made in §§ 416.1202, 416.1244, 416.1246, and 416.1324.

Justification for Dispensing With Notice of Proposed Rulemaking and Opportunity for Public Comment

The Department, even when not required by statute, as a matter of policy, generally follows the Administrative Procedure Act (APA) notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary or contrary to the public interest. We have determined that, under 5 U.S.C. 553(b)(B), good cause exists for waiver of notice of proposed rulemaking and public comment procedures on this regulation since opportunity for public comment is unnecessary. Section 2611 increases the resource limits by specific dollar amounts, and the only amendment to this regulation is to reflect those higher resource limits. The statutory amendment is not subject to any interpretation and the Secretary has no discretion in implementing it.

Executive Order 12291

The impact of section 2611 of Pub. L. 98–369 is solely the result of legislation and would exist without regulatory action on our part. Cost impacts directly resulting from this regulation are minor. Therefore, we have determined that this regulation does not constitute a "major rule" under Executive Order 12291, and a regulatory impact analysis is not required.

Regulatory Flexibility Act

We certify that this regulation will not have a significant economic impact on a substantial number of small entities because this rule affects only individuals and States. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96–354, the Regulatory Flexibility Act, is not required.

Paperwork Reduction Act

This regulation imposes no additional reporting or recordkeeping requirements requiring OMB clearance.

(Catalog of Federal Domestic Assistance Program No. 13.807, Supplemental Security Income program)

List of Subjects in 20 CFR Part 416

Administrative Practice and Procedure, Aged, Blind, Disability benefits, Public assistance programs, Supplemental Security Income (SSI).

Dated: March 13, 1985.

Martha A. McSteen,

Acting Commissioner of Social Security.

Approved: July 24, 1985.

Margaret M. Heckler,

Secretary of Health and Human Services.

PART 416—[AMENDED]

Subpart L of Part 416 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Subpart L of Part 416 reads as follows:

Authority: Secs. 1102, 1601, 1602, 1611, 1612, 1613, 1614(f) and 1631(d) of the Social Security Act, as amended; 49 Stat. 647, as amended; 86 Stat. 1465, 1466, 1468, 1470, and 1473, as amended; 42 U.S.C. 1302, 1381, 1381a, 1382, 1382a, 1382b, 1382c(f) and 1383(d), unless otherwise noted.

2. In § 416.1202, paragraph (a) is amended by changing the cross reference and paragraph (b) is amended by changing the cross references and revising the resource limits, the revised paragraphs to read as follows:

§ 416.1202 Deeming of resources.

(a) *Married individual.* In the case of an individual who is living with a person not eligible under this part and who is considered to be the husband or wife of such individual under the criteria in §§ 416.1806 and 416.1811, such individual's resources shall be deemed to include any resources, not otherwise excluded under this subpart, of such spouse whether or not such resources are available to such individual.

(b) *Child.* In the case of a child (as defined in § 416.1856) who is under age 18, such child's resources shall be deemed to include any resources, not otherwise excluded under this subpart, of a parent of such child (or the spouse of such a parent) who is living in the same household (as defined in § 416.1851) as such child, whether or not available to such child, to the extent that the resources of such parent (or such spouse of a parent) exceed the resource limits described in § 416.1205. (If income is deemed to the child from only one parent, the limit for an individual applies. If income is deemed from both parents (or from one parent and his or her spouse), the limit for an individual and spouse applies.) As used in this section, the term "parent" means the natural or adoptive parent of a child and "spouse of a parent" means the spouse (as defined in Subpart R of this part) of such natural or adoptive parent.

* * * * *

3. Section 416.1205 is revised to read as follows:

§ 416.1205 Limitation on resources.

(a) *Individual with no eligible spouse.* An aged, blind, or disabled individual with no spouse is eligible for benefits under title XVI of the Act if his or her nonexcludable resources do not exceed $1,500 prior to January 1, 1985, and all other eligibility requirements are met. An individual who is living with an ineligible spouse is eligible for benefits under title XVI of the Act if his or her nonexcludable resources, including the resources of the spouse, do not exceed $2,250 prior to January 1, 1985, and all other eligibility requirements are met.

(b) *Individual with an eligible spouse.* An aged, blind, or disabled individual who has an eligible spouse is eligible for benefits under title XVI of the Act if their nonexcludable resources do not exceed $2,250 prior to January 1, 1985, and all other eligibility requirements are met.

(c) *Effective January 1, 1985 and later.* The resources limits and effective dates for January 1, 1985 and later are as follows:

Effective date	Individual	Individual and spouse
Jan. 1, 1985	$1,600	$2,400
Jan. 1, 1986	1,700	$2,550
Jan. 1, 1987	1,800	$2,700
Jan. 1, 1988	1,900	$2,850
Jan. 1, 1989	2,000	$3,000

4. In § 416.1244, paragraph (c) is revised to read as follows:

§ 416.1244 Treatment of proceeds from disposition of resources.

* * * * *

(c) After deducting any amount necessary to raise the individual's (and spouse's if any) resources to the applicable limits described in § 416.1205, as of the beginning of the disposition period, the balance of the net proceeds will be used to recover the payments made to the individual (and spouse, if any). Any remaining proceeds are considered liquid resources.

* * * * *

5. In § 416.1246, paragraph (a)(1) is revised to read as follows:

§ 416.1246 Disposal of resources at less than fair market value.

(a) *General.* (1) An individual (or eligible spouse) who gives away or sells a nonexcluded resource for less than fair market value for the purpose of establishing SSI or Medicaid eligibility will be charged with the difference between the fair market value of the resource and the amount of compensation received. The difference is referred to as uncompensated value and is counted toward the resource limit (see § 416.1205) for a period of 24 months from the date of transfer.

* * * * *

6. The authority citation for Subpart M of Part 416 reads as follows:

Authority: Secs. 1102, 1611 through 1615, and 1631, Social Security Act, as amended, 49 Stat. 647, as amended, 86 Stat. 1466 through 1477, (42 U.S.C. 1302, 1382 through 1382d, 1383), unless otherwise noted.

7. In § 416.1324, paragraph (a)(1) is revised to read as follows: (The introductory text is reprinted without change for the convenience of the reader.)

§ 416.1324 Suspension due to excess resources.

(a) *Effective date.* Except as specified in §§ 416.1240 through 416.1242, suspension of benefit payments because of excess resources is required effective with the month in which:

(1) Ineligibility exists because countable resources are in excess of:

(i) The resource limits prescribed in § 416.1205 for an individual and an individual and spouse, or

(ii) In the case of an eligible individual (and eligible spouse, if any) who for the month of December 1973 was a recipient of aid or assistance under a State plan approved under title, I, X, XIV, or XVI of the Act, the maximum amount of resources specified in such State plan as in effect for October 1972, if greater than the amounts specified in § 416.1205, as applicable; or

* * * * *

[FR Doc. 85-23020 Filed 9-25-85; 8:45 am]
BILLING CODE 4190-11-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD3 85-63]

Regatta; Long Island Gran Prix, Long Island Sound, NY

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special Local Regulations are being adopted for the Long Island Gran Prix sponsored by the Gateway Powerboat Association of Greenwich, CT. This powerboat racing event will be held off the north shore of Long Island between Matinicock and Oak Neck Points on October 5, 1985. This regulation is needed to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATE: This regulation becomes effective on October 5, 1985 at 11:00 a.m. and terminates the same day at 3:00 p.m. The approved postponement date in the event of inclement weather is October 6, 1985 during the same times.

FOR FURTHER INFORMATION CONTACT: Mr. Lucas A. Dlhopolsky, (212) 668-7974.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking has not been published for this regulation and it is being made effective in less than 30 days from the date of publication. Following normal rule making procedures would have been impracticable. The application for this event was received at the Third District Boating Safety Office on September 4, 1985. Therefore, there was not sufficient time to publish proposed rules in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of this regulation are Mr. Lucas A. Dlhopolsky, Project Officer, Third Coast Guard District Boating Safety Division and Ms. MaryAnn Arisman, Project Attorney, Third Coast Guard District Legal Office.

Discussion of Regulations

The Long Island Gran Prix will be held off the north shore of Long Island on October 5, 1985. This event is sponsored by The Gateway Powerboat Association of Greenwich, CT. A powerboat racing event was held in the same location and course on September 29, 1984 under the title of The Queen City Powerboat Race sponsored by Wright Island Marina. The Long Island Gran Prix is being held in place of this event. Approximately 50 powerboats, 20 to 50 feet in length, will race around a course 7.8 nautical miles in length. The race is scheduled to start at 11:00 a.m. and last until approximately 3:00 p.m. The sponsor will provide from 10 to 15 vessels which will be used to mark the corners of the race course and to assist the Coast Guard and local authorities in patrolling this event. Since it is anticipated that the powerboats participating in this race will be traveling at speeds around 100 m.p.h., spectator vessels will be required to remain at least 150 yards away from any straight leg of the course and shall not approach any closer than ¼ nautical mile from any of the four turning points of the race course. When these powerboats make high speed turns, they can be expected to swing wide of the turning markers. Mariners should use extreme caution while near the race course area. The Coast Guard will issue a safety voice broadcast to notify boaters of this event. In order to provide for the safety of life and property on navigable waters, the Coast Guard will restrict vessel movement in the regulated area.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Part 100 is amended by adding a temporary § 100.35-322 to read as follows:

§ 100.35-322 Long Island Gran Prix.

(a) *Regulated Area.* Off the north shore of Long Island between Matinicock and Oak Neck Points in the area within a ¼ nautical mile radius of each of the following points, and within 150 yards of each race leg connecting these points: Latitude 40°54′32″ longitude 73°38′13″ W.; latitude 49°55′28″ N., longitude 73°34′13″ W.; latitude 40°55′37″ N., longitude 73°34′14″ W.; latitude 40°56′00″ N., longitude 73°38′00″ W.

(b) *Effective Period.* This regulation will be effective from 11:00 a.m. to 3:00 p.m. on October 5, 1985. The approved postponement date in the event of inclement weather is October 6, 1985 during the same times.

(c) *Special Local Regulations.* (1) All persons or vessel not registered with the sponsor as participants or not part of the regatta patrol are considered spectators.

(2) No spectator shall enter, pass through or remain within the regulated area as marked by the sponsor or Coast Guard patrol personnel during the effective period.

(3) All persons and vessels shall comply with the instructions of U.S. Coast Guard patrol personnel. Upon hearing five or more blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately and proceed as directed. U.S. Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation and other applicable laws.

(4) For any violation of this regulation, the following maximum penalties are authorized by law:

(i) $500 for any person in charge of the navigation of a vessel.

(ii) $500 for the owner of a vessel actually on board.

(iii) $250 for any other person.

(iv) Suspension or revocation of a license for a licensed officer.

Dated: September 20, 1985.

P.A. Yost,

Vice Admiral, U.S. Coast Guard, Commander, Third Coast Guard District.

[FR Doc. 85-23032 Filed 9-25-85; 8:45 am]
BILLING CODE 4910-14-M