

Transactions directly incident to the physical importation of the painting or drawing are authorized. However, no payment may be made relating to works not yet in being, or for marketing and business consulting services, or for the service of making artistic or other substantive alteration or enhancements to paintings and drawings. Importation of items that are primarily utilitarian in nature is not authorized by this amendment.

Because the Regulations involve a foreign affairs function, Executive Order 12291 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, does not apply.

This rule is being issued without prior notice and public procedure pursuant to the Administrative Procedure Act. For this reason, the collection of information contained in this rule is being submitted to the Office of Management and Budget ("OMB") under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). Comments concerning the collection of information and the accuracy of estimated average annual burden, and suggestions for reducing this burden should be directed to OMB, Paperwork Reduction Project (1505-****), Washington, DC 20503, with copies to the Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Avenue NW—Annex, Washington, DC 20220. Any such comments should be submitted not later than May 31, 1991. Notice of OMB action on these requests will be published in the Federal Register.

The collection of information in this rule is contained in § 515.570. This information is required by the Office of Foreign Assets Control for purposes of monitoring the extent to which the license is being used to import Cuban paintings and drawings of significant value into the United States. The likely respondents are individuals and business organizations.

Estimated total annual reporting and/or recordkeeping burden: 10 hours.

The estimated annual burden per respondent/recordkeeper varies from 30 minutes to 1 hour, depending on individual circumstances, with an estimated average of 1 hour.

Estimated number of respondents and/or recordkeepers: 10.

Estimated annual frequency of responses: 1.

List of Subjects in 31 CFR Part 515

Cuba, Imports, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 31 CFR part 515 is amended as follows:

PART 515—CUBAN ASSETS CONTROL REGULATIONS

1. The authority citation for part 515 continues to read as follows:

Authority: 50 U.S.C. App. 5, as amended; 22 U.S.C. 2370(a); Proc. 3447, 27 FR 1085, 3 CFR 1959-1963 Comp., p. 157; E.O. 9193, 7 FR 5205, 3 CFR 1938-1943 Cum. Supp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR 1943-1948 Comp., p. 748.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. A new § 515.570 is added to subpart E to read as follows:

§ 515.570 Importation of Cuban paintings and drawings

(a) To the extent otherwise prohibited by this part, all financial and other transactions directly incident to the physical importation, whether commercial or otherwise, of paintings and drawings created by a person who is or at any time was a Cuban, are authorized. This authorization includes not only paintings and drawings created by "nationals" of Cuba as defined in § 515.302 of this part, but also those created by Cubans at any time prior to the effective date in which an interest of Cuba or a Cuban national exists or existed subsequent to the effective date, as well as all transactions of common carriers directly incident to the importation of such artwork, including chartered aircraft flying directly to the United States from Cuba.

(b) This section does not authorize transactions relating to works in which there is an interest of Cuba or a Cuban national but which were not created by persons who are or were Cuban or Cuban nationals. This section does not authorize transactions relating to works not yet in being, or to marketing or business consulting services, or to services for the artistic or other substantive alteration or enhancement of paintings or drawings. Nor does it authorize transactions related to decorative or decorated items of a primarily utilitarian nature, such as carved tables, decorated mirrors, handpainted coffee mugs, or proprietary production drawings for industrial or commercial use.

(c) If the individual painting or drawing being imported into the United States pursuant to this section has a foreign market value of \$10,000 or more,

the importer must provide the Customs Service officer at the port of importation with a statement addressed to the Office of Foreign Assets Control certifying the following:

- (1) The name and age of the painting or drawing being imported, if known;
- (2) The means by which its foreign value was determined;
- (3) The name of the artist, if known;
- (4) That the artist is or at some time was a Cuban or Cuban national; and
- (5) The amount paid, if the piece was purchased by a person subject to U.S. jurisdiction.

Dated: March 7, 1991.

R. Richard Newcomb,
Director, Office of Foreign Assets Control.

Approved: March 8, 1991.

John P. Simpson,
Acting Assistant Secretary (Enforcement).
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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 210

[DoD Directive 5525.4]

Enforcement of State Traffic Laws on DoD Installations

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Final rule.

SUMMARY: This document amends 32 CFR part 210 to include a revision of Department of Defense policy concerning vehicular and pedestrian traffic on military installations. This amendment delegates to the installation commanders the authority to prescribe local traffic regulations.

EFFECTIVE DATE: April 1, 1991.

ADDRESSES: Office of the Assistant Secretary of Defense (Force Management and Personnel) (Requirements and Resources Legal and Legislation Policy), room 4C763, The Pentagon, Washington, DC 20301-4000.

FOR FURTHER INFORMATION CONTACT: W. Mason, telephone (703) 697-3387.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 210

Federal buildings and facilities, Traffic regulations

Accordingly, 32 CFR part 210 is amended as follows:

PART 210—ENFORCEMENT OF STATE TRAFFIC LAWS ON DOD INSTALLATIONS

1. The authority citation for part 210 continues to read as follows:

Authority: 63 Stat. 377, as amended, 18 U.S.C. 13; 40 U.S.C. 318 a through d., 40 U.S.C. 612.

§ 210.1 [Amended]

2. Footnote 1 to § 210.1 is revised to read as follows: "Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

3. Section 210.3 is amended by removing paragraph "(d)"; redesignating paragraph "(c)" as paragraph "(d)"; adding a new paragraph (c) and footnote 2 to read as follows:

§ 210.3 Policy.

(c) Pursuant to the authority established in the Enclosure 1 to DoD Directive 5525.4², installation commanders of all DoD installations in the United States and over which the United States has exclusive or concurrent legislative jurisdiction are delegated the authority to establish additional vehicular and pedestrian traffic rules and regulations for their installations. All persons on a military installation shall comply with locally established vehicular and pedestrian traffic rules and regulations.

²See footnote 1 to § 210.1.

Dated: March 26, 1991.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 91-7520 Filed 3-29-91; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD5-90-074]

Drawbridge Operation Regulations; Potomac River, District of Columbia

AGENCY: Coast Guard, DOT.

ACTION: Emergency temporary rule.

SUMMARY: At the request of the Federal Highway Administration, the Coast Guard is issuing additional temporary regulations to govern operation of the Woodrow Wilson Bridge across the Potomac River, mile 103.8, between Alexandria, Virginia, and Oxon Hill, Maryland. These temporary regulations

are identical to, and are an extension of, the temporary regulations now in effect. These temporary regulations are needed to permit the bridge owner additional time to complete extensive ongoing repairs necessary for the safe and reliable operation of the bridge. This action provides for the reasonable needs of navigation.

DATES: This temporary rule is effective from April 1, 1991, until June 1, 1991, unless amended or terminated before that date.

FOR FURTHER INFORMATION CONTACT:

Ms. Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at 804-398-6222.

SUPPLEMENTARY INFORMATION: The permanent regulations for this drawbridge are contained in 33 CFR 117.255. On August 2, 1990, a temporary deviation from those regulations was published in the *Federal Register* (55 FR 31384) to facilitate emergency repairs to the bridge's electrical systems. That emergency deviation expired on September 21, 1990. On September 20, 1990, temporary regulations were issued which modified the restrictions on bridge openings authorized by the temporary deviation; they were effective on September 22, 1990. Those temporary regulations were published in the *Federal Register* October 1, 1990 (55 FR 39962) and remained in effect until January 25, 1991. In conjunction with the temporary regulations that were effective on September 22, 1990, the Coast Guard published supplementary information on the temporary regulations with a request for comments in the October 1, 1990 *Federal Register* (55 FR 39963). Comments were received through October 16, 1990. Although many comments were received, the majority of them related to the matter of a change to the current published permanent regulations, and not to the temporary regulations for which comments were being solicited. In general, there were no comments of a new or significant nature relating to the temporary regulations to cause the Coast Guard to amend the temporary regulations at issue. On December 21, 1990, new temporary regulations were issued to allow the bridge owner additional time to complete the ongoing repairs to the bridge. These temporary regulations were effective on January 25, 1991, and will remain in effect until April 1, 1991. They were published in the *Federal Register* on January 8, 1991 (56 FR 635).

Drafting Information

The drafters of this notice are Ann B. Deaton, Project Officer, and Capt. M. K. Cain, Project Attorney.

Discussion of Temporary Regulations

This temporary regulation provides an opening schedule identical to that provided by the temporary regulation which is currently in effect until April 1, 1991. The Federal Highway Administration has advised that the actual completion of repairs needed to return the bridge to safe, reliable operation, cannot be accomplished within the timeframe allowed by the current temporary regulation. This temporary regulation is intended to provide additional time to complete needed repairs to the continuing electrical and mechanical problems associated with the operation of this bridge. In early December 1990, the bridge again experienced a combination of mechanical and electrical problems resulting in a safety hazard for a large commercial ship attempting to transit through the bridge, as well as delays to thousands of motorists waiting for the bridge to close and allow the flow of highway traffic. Because of the critical need for repairs to this bridge, and the continued reliable operation of the bridge for both highway and marine interests until those repairs are completed, good cause exists for publishing this temporary regulation without publication of a notice of proposed rulemaking. Delaying this rule for publication of a notice of proposed rulemaking would be contrary to the public interest. The Coast Guard believes these temporary regulations will not unduly restrict vessel passage through the bridge, as vessel operators and the marine industry can plan transits to conform with this temporary regulation.

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the temporary regulation will not raise sufficient federalism implications to warrant preparation of a Federalism Assessment.

Economic Assessment and Certification

This temporary regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034, February 26, 1979). The economic impact of this temporary regulation on

commercial navigation or on any industries that depend on waterborne transportation should be minimal. Since the economic impact of this temporary regulation is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

Environmental Impact

This temporary regulation has been thoroughly reviewed by the Coast Guard and it has been determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2.g. of Commandant Instruction M16475.1B. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking document.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is temporarily amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g).

2. Section 117.255 is temporarily amended by revising paragraphs (a) (1) and (2) and by adding paragraphs (a) (3) through (7) to read as follows. This is a temporary rule and will not appear in the Code of Federal Regulations.

§ 117.255 Potomac River.

(a) * * *

(1) Shall open for all vessels with a 2-hour advance notice on weekdays from 12 midnight to 4 a.m., and on Saturdays, Sundays, and Federal Holidays from 12 midnight to 6 a.m.

(2) Shall open for all vessels with a 2-hour advance notice on weekdays at 12 noon, and on weekends and Federal holidays falling on Fridays or Mondays at 12 noon and 9 p.m.

(3) Shall open for commercial vessels over 1800 gross tons on weekdays from 10 a.m. to 1 p.m. and from 9 p.m. to 12 midnight and on Saturdays, Sundays and Federal Holidays from 9 p.m. to 12 midnight with a 2-hour advance notice.

(4) Advance notification for all openings other than those provided for in paragraph 5 below should be directed to the operator in the bridge tower by telephone at (202) 727-5522 or by marine radio VHF Channels 13 or 16.

(5) Commercial vessels requiring transit at other than any of the above times due to tidal stages may receive special permission from Commander, Fifth Coast Guard District, Portsmouth, VA, and must provide a 24-hour advance notice, followed by a 1-hour advance confirmation of arrival.

(6) Need not open for any vessel from 6:30 a.m. to 9 a.m. and 4 p.m. to 6:30 p.m., Monday through Friday except Federal Holidays.

(7) This temporary regulation is effective beginning on April 1, 1991, and will terminate on June 1, 1991, unless amended or terminated before that date.

Dated: March 22, 1991

Paul A. Welling,

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

[FR Doc. 91-7556 Filed 3-29-91; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Air Force

41 CFR Ch. 132

Utilization and Disposal of Real Property

AGENCY: Department of the Air Force, DOD.

ACTION: Interim rule with request for comments.

SUMMARY: The Deputy Secretary of Defense redelegated authority from the Administrator of the General Services Administration to the Secretary of the Air Force, with respect to excess and surplus real and related personal property located at Air Force installations to be closed or realigned under the Base Closure and Realignment Act (BCRA). In carrying out the redelegated disposal authority, the Air Force has developed policies and procedures which incorporate various changes required to implement necessary disposal and real estate actions. Other excess real property will be reported to the General Services Administration and disposed of under 41 CFR part 101-47. The Air Force's proposed disposal process has significant involvement by local communities affected by base closures.

DATES: Interim rule effective April 1, 1991. Comments must be submitted on or before May 1, 1991.

ADDRESSES: Send written comments to Mr. James F. Boatright, Deputy Assistant Secretary of the Air Force (Installations), Washington, DC 20330-1000.

FOR FURTHER INFORMATION CONTACT: Leonard C. Sandelli, telephone 703 697-7462.

SUPPLEMENTARY INFORMATION: The BCRA requires the Air Force to exercise authority in accordance with GSA Federal Property Management Regulations which were in effect on October 22, 1988, the date of the approval for that act. As the Air Force is both the holding and disposal agency for base closure properties, requirements have changed for reporting property excess, determining property surplus, and funding of protection and maintenance. Additionally, the thresholds for reporting and requesting approval of negotiated sales and antitrust advice from the Attorney General have been raised by amendment to the Federal Property and Administrative Services Act of 1949. These Air Force policies and procedures will implement these various changes and provide for an expeditious and judicious disposal of Air Force installations.

A Regulatory Impact Analysis is not required. These policies and procedures are not a major rule for the purpose of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; cause a major increase in costs to consumers or others; or have other significant adverse effects. The Air Force based all administrative decisions underlying this rule on adequate information concerning the need for, and the consequences of this rule. It has determined the potential benefits to society outweigh the potential costs and these policies and procedures maximize the net benefits. Therefore, the Air Force has chosen this alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Chapter 132

Real property utilization and disposal.

Therefore, title 41 of the Code of Federal Regulations is amended by establishing chapter 132 and part 132-47 as set forth below:

CHAPTER 132—DEPARTMENT OF THE AIR FORCE

PART 132-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

Sec. 132-47.000 Scope of part.

Subpart 132-47.1—General Provisions
132-47.103 Definitions.

Subpart 132-47.2 Utilization of Excess Real Property

132-47.201-1 Policy.
132-47.201-2 Guidelines.