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 4—Defense Technical Information Center (DTIC)

5—U.S. Army Corps of Engineers (USACE) Civil Works  
 [4] Command code. The code established by the DoD Component headquarters to identify the command responsible for operating the commercial activity undergoing cost comparison.

[5] Installation code. The code established by the DoD Component headquarters to identify the installation where the CA(s) under cost comparison is and/or are located physically. Two or more codes (for cost comparison packages encompassing more than one installation) should be separated by commas.

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Dated: December 21, 1995.  
 L.M. Bynum,  
*Alternate OSD Federal Register Liaison Officer, Department of Defense.*  
 [FR Doc. 95-31346 Filed 12-28-95; 8:45 am]  
 BILLING CODE 5000-04-M

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

[CGD 05-95-086]

**Special Local Regulations for Marine Events; New Year's Eve Fireworks; Delaware River, Philadelphia, PA**

AGENCY: Coast Guard, DOT.  
 ACTION: Notice of implementation.

**SUMMARY:** This notice implements 33 CFR 100.509 for the New Year's Eve Fireworks Display. The display will be launched from barges anchored off Penns Landing, Delaware River, Philadelphia, Pennsylvania on December 31, 1995. The regulations in 33 CFR 100.509 are needed to control vessel traffic in the immediate vicinity of the event due to the confined nature of the waterway and expected spectator craft congestion during the event. The regulations restrict general navigation in the area for the safety of life and property on the navigable waters during the event.

**EFFECTIVE DATES:** The regulations in 33 CFR 100.509 are effective from 11 p.m., December 31, 1995 until 1:20 a.m., on January 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Stephen Phillips, Chief, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford

Street, Portsmouth, Virginia 23704-5004 (804) 398-6204, or Commander, Coast Guard Group Philadelphia (215) 271-4825.

*Drafting Information:* The drafters of this notice are QM1 Gregory C. Garrison, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and CDR T.R. Cahill, project attorney, Fifth Coast Guard District Legal Staff.

**Discussion of Regulation**

The Philadelphia Convention and Visitors Bureau submitted an application to hold a Neighbors in the New Year fireworks display. The display will be launched from barges anchored off Penns Landing, Delaware River, Philadelphia, Pennsylvania. Since many spectator vessels are expected to be in the area to watch the fireworks, the regulations in 33 CFR 100.509 are being implemented for this event. The fireworks will be launched from within the regulated area. The waterway will be closed during the display. Since the closure will not be for an extended period, commercial traffic should not be severely disrupted.

Dated: December 18, 1995.  
 W.J. Ecker,  
*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*  
 [FR Doc. 95-31524 Filed 12-28-95; 8:45 am]  
 BILLING CODE 4910-14-M

**33 CFR Part 100, 110, and 117**

[CGD 05-95-085]

**Special Local Regulations for Marine Events; New Year's Eve Celebration Fireworks; Norfolk Harbor, Elizabeth River, Norfolk and Portsmouth, VA**

AGENCY: Coast Guard, DOT.  
 ACTION: Notice of implementation.

**SUMMARY:** This notice announces that 33 CFR 100.501 is in effect for the New Year's Eve Celebration Fireworks Display, an annual event held on December 31, 1995 and January 1, 1996. This regulation is necessary to control vessel traffic within the immediate vicinity of the event due to the confined nature of the waterway and the expected congestion at the time of the event. The regulations restrict general navigation in the area to provide for the safety of life and property on the navigable waters during the event.

**EFFECTIVE DATES:** These regulations are effective from 11 p.m., December 31, 1995 until 1:30 a.m., January 1, 1996. If inclement weather causes the postponement of the event, the regulations are effective from 6:30 p.m. until 8:30 p.m., on January 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Stephen Phillips, Chief, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204.

**SUPPLEMENTARY INFORMATION:**

*Drafting Information:* The drafters of this notice are QM1 Gregory C. Garrison, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and CDR T.R. Cahill, project attorney, Fifth Coast Guard District Legal Staff.

**Discussion of Rule**

On December 31, 1995 and January 1, 1996, Norfolk Festevents, Ltd. will sponsor a New Year's Eve Celebration. As part of the celebration, a fireworks display will be launched from barges anchored in the Elizabeth River off Town Point Park. A large number of spectator vessels are expected. Therefore, to ensure safety of both participants and spectators, 33 CFR 100.501 will be in effect for the duration of the event. Under the provisions of 33 CFR 100.501, a vessel may not enter the regulated area unless it is registered as a participant with the event sponsor or it receives permission from the Coast Guard patrol commander. These restrictions will be in effect for a limited period and should not result in significant disruption of maritime traffic.

Additionally, 33 CFR 110.72aa and 33 CFR 117.1007(b) will be in effect while 33 CFR 100.501 is in effect. Section 110.72aa establishes special anchorages which may be used by spectator craft. Section 117.1007(b) provides that the draw of the Berkley Bridge shall remain closed from one hour prior to the scheduled event until one hour after the scheduled event unless the Coast Guard patrol commander allows it to be opened for passage of commercial traffic.

Dated: December 18, 1995.  
 W. J. Ecker,  
*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*  
 [FR Doc. 95-31525 Filed 12-28-95; 8:45 am]  
 BILLING CODE 4910-14-M

**33 CFR Part 165**

[COTP Philadelphia, PA 95-087]

RIN 2115-AA97

**Safety Zone Regulations: New Years Eve Fireworks: Delaware River, Philadelphia, PA**

AGENCY: Coast Guard, DOT.  
 ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary moving safety zone on the Delaware River between the Commodore Barry Bridge and Penn's Landing, Philadelphia, Pennsylvania during the transit of the Tug PURPLE HAYS with fireworks barges on December 31, 1995. This safety zone is needed to protect vessels, the port community and the environment from potential safety and environmental hazards associated with the transit of the Tug PURPLE HAYS with barges loaded with explosives. Entry into this zone is prohibited without permission from the Captain of the Port.

**EFFECTIVE DATE:** This rule is effective from 4 p.m. to 11 p.m., December 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** LTJG S.J. Kelly, Project Officer at the Captain of the Port, Philadelphia, (215) 271-4909.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. The Coast Guard was informed by the owner/operator of the Tug PURPLE HAYS on December 6, 1995 of the intended transit of the Tug PURPLE HAYS along the Delaware River between the Commodore Barry Bridge and Penn's Landing, Philadelphia, Pennsylvania. Publishing a NPRM and delaying the effective date would be contrary to the public interest, since immediate action is needed to protect the environment and vessel traffic against potential hazards associated with the transit of the Tug PURPLE HAYS and barges while loaded with fireworks.

**Drafting Information:** The drafters of this regulation are LTJG S.J. Kelly, project officer for the Captain of the Port, Philadelphia, and CDR. T.R. Cahill, Project Attorney, Fifth Coast Guard District Legal Staff.

**Discussion of the Regulation:** The circumstances requiring the regulation arise from the potential hazards associated with the transportation of fireworks on a barge in heavily trafficked areas of the Delaware River. The safety zone includes a specified area around the Tug PURPLE HAYS barges loaded with explosives while underway on the Delaware River between the Commodore Barry Bridge and Penn's Landing and while moored at Hay's Tug and Launch, Chester, PA. Performance Pyrotechnic Associates, Inc. submitted an application for a marine event to MSO/Group Philadelphia dated November 20, 1995, requesting permission to hold a fireworks display in conjunction with the New Years Eve Celebration. However, the Coast Guard was not notified of the exact circumstances surrounding the transport of explosive until December 10, 1995. This

temporary safety zone is being established with transit of the barges. Additionally, as announced in a separate notice to be published in the Federal Register, special local regulations in 33 CFR 100.509 will be in effect during the fireworks display.

**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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

**Environment:** The Coast Guard considered the environmental impact of this proposal and concluded that under section 2.B.2.e (34) of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this rule is categorically excluded from further environmental documentation.

**Collection of Information:** This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

**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 it does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

#### Regulation

In consideration of the foregoing, Subpart C of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

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 new § 165.T05-087 is added to read as follows:

**§ 165.T05-087 Safety Zone: Delaware River, between Commodore Barry Bridge and Penn's Landing, Philadelphia, PA.**

(a) *Location.* A safety zone is established for:

(1) All waters within an area which extends 500 yards on either side and 1000 yards ahead and astern of the Tug PURPLE HAYS and barges loaded with class 1.3 and 1.4 explosives while underway in the Delaware River, between the Commodore Barry Bridge and Penn's Landing, Philadelphia, PA.

(2) All waters within a 200 yard radius of the Tug PURPLE HAYS and barges loaded with class 1.3 and 1.4 explosives while moored at Hay's Tug and Launch in Chester, PA.

(b) *Effective Date.* This section is effective from 4 p.m. to 11 p.m. December 31, 1995. If the conditions requiring a safety zone terminate at an earlier date, the Captain of the Port, Philadelphia, may advise mariners by Broadcast Notice to Mariners that the safety zone will not be enforced.

(c) *Regulations:* The following regulations shall apply within the safety zone.

(1) No person or vessel may enter the safety zone without permission of the Captain of the Port or his designated representative.

(2) As a condition of entry into the safety zone, the COTP or his designated representative may order that each vessel:

(i) Maintain a continuous radio guard on channels 13 and 16 VHF-FM while underway;

(ii) Not overtake the Tug PURPLE HAYS while underway on the Delaware River;

(iii) Operate at a minimum no wake speed sufficient to maintain steerage while Tug PURPLE HAYS is moored at Hay's Tug and Launch, Chester, PA;

(iv) Proceed as directed or stop the vessel immediately when directed to do so by the Captain of the Port or by his designated representative.

(d) *Designated COTP Representative:* The designated representative of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Philadelphia, Pennsylvania to act on his behalf. The designated representative enforcing the safety zone may be contacted on VHF channels 13 & 16. The Captain of the Port of Philadelphia and the Command Duty Officer at the Marine Safety Office, Philadelphia, may be contacted at telephone number (215) 271-4940.

Dated: December 15, 1995.

John E. Veentjer,

*Captain U.S. Coast Guard, Captain of the Port, Philadelphia, PA.*

[FR Doc. 95-31374 Filed 12-28-95; 8:45 am]

BILLING CODE 4910-14-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 63

[IB Docket No. 95-22, FCC 95-475]

#### Market Entry and Regulation of Foreign-affiliated Entities

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This Report and Order contains information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA, OMB, the general public, and other Federal agencies are invited to comment on the information collections contained in this proceeding.

On November 28, 1995, the Federal Communications Commission adopted a Report and Order in response to a Notice of Proposed Rulemaking which the Commission adopted on February 7, 1995, that establishes a market entry standard for foreign carriers seeking to provide basic international telecommunications services under section 214 of the Communications Act of 1934, a amended ("the Act"). The Report and Order also establishes a standard by which the Commission will review whether it is in the public interest to permit foreign investment in licensees of common carrier radio facilities in excess of the benchmarks contained in section 310(b)(4) of the Act. The Report and Order was adopted. The Report and Order makes additional changes to the Commission's regulations of international common carriers.

In reviewing applicants for international section 214 authority filed by a foreign carrier or its U.S. affiliate (collectively "foreign carrier"), the Commission will examine, as an important part of its public interest analysis, whether competitive opportunities exist for U.S. carriers in destination markets in which the foreign carrier has market power. The Commission will apply a similar analysis in reviewing indirect foreign investment in licensees of common carrier radio facilities under section 310(b)(4), but it will limit its review to the "home market" of the foreign

investor. In addition to considering effective competitive opportunities, the Commission will examine additional public interest factors that might weigh in favor of, or against, approving the foreign carrier's international section 214 application, or permitting the indirect foreign investment in a common carrier radio licensee to exceed the section 310(b)(4) benchmark.

In taking this action, the Commission's primary goal is to advance the public interest by promoting effective competition in the U.S. telecommunications services market, particularly the market for international services. The action also reaffirms the Commission's goals to prevent anticompetitive conduct in the provisions of international services or facilities, and to encourage foreign governments to open their communications markets.

**EFFECTIVE DATE:** The rules adopted in this Report and Order will become effective January 29, 1996. However, if OMB has not approved the information collections contained in these rules by this date, the Commission will publish a document to delay the effective date of these rules.

Written comments by the public on the information collections are due January 10, 1996.

**ADDRESSES:** Submit all comments concerning the Paperwork Reduction Act to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, NW., Washington, DC 20554, or via the Internet to [dconway@fcc.gov](mailto:dconway@fcc.gov), and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, NW., Washington, DC 20503 or via the Internet to [fain-t@al.eop.gov](mailto:fain-t@al.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information concerning the information collections contained in this Report and Order contact Dorothy Conway at 202-418-0217, or via the Internet as [dconway@fcc.gov](mailto:dconway@fcc.gov).

For further information on the Report and Order contact: Susan O'Connell, Attorney, International Bureau, (202) 418-1484, Ken Schagrin, Attorney, International Bureau, (202) 418-1407, or Robert McDonald, Attorney, International Bureau, (202) 418-1467.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order adopted on November 28, 1995, and released November 30, 1995 (FCC 95-475). The full text of this Report and Order is available for inspection and copying during normal hours in the FCC Reference Center (Room 239), 1919 M St., NW., Washington, DC. The complete text also may be purchased from the

Commission's Copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037

Paperwork Reduction Act

The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this Report and Order. Comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

This Report and Order contains information collection requirements. Written comments by the public on the information collections are due January 10, 1996. Written comments must be submitted by OMB on the information collections on or before January 15, 1996.

**OMB Approval Number:** New Collection.

**Title:** Market Entry and Regulation of Foreign-affiliated Carriers.

**Type of Review:** New collection.

**Respondents:** Business or other for-profit.

**Number of Respondents:** 431 per year.  
**Estimated Time Per Response:** 9.5 hours.

**Total Annual Burden:** 4127 hours.

**Needs and Uses:** The collections of information for which approval is here sought are contained in amendments to part 63 and in the Report and Order adopting such amendments. These information collections are authorized and necessary for the Commission to carry out its statutory mandate, pursuant to sections 4, 214, 219, 303(r) and 403 of the Communications Act, 47 U.S.C. 154, 214, 219, 303(r) and 403.

The information collections contained in amendments to §§ 63.01 (r) and (s) and 63.11 and 63.17(b)(4) of the Commission's rules are necessary to determine whether, and under what conditions, the public interest, convenience, and necessity will be served by authorizing particular foreign carriers, or their U.S. affiliates, to provide international common carrier services between the United States and countries where these foreign carriers have market power, *i.e.*, the ability to