

relief and satisfying the requirements of section 411(b)(5).

**Steven T. Miller,**

*Deputy Commissioner for Services and Enforcement.*

Approved: September 17, 2010.

**Michael F. Mundaca,**

*Assistant Secretary of the Treasury for Tax Policy.*

[FR Doc. 2010-25941 Filed 10-18-10; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

#### 31 CFR Part 1

#### Privacy Act; Implementation

**AGENCY:** Office of the Secretary, Treasury.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Treasury is adopting, without change, an interim rule that amended its regulations on the Privacy Act of 1974, as Amended, by removing three Privacy Act systems of records from this part, revising the title of the one remaining Privacy Act system of records relating to the functions of the Alcohol and Tobacco Tax and Trade Bureau, and retaining the Privacy Act exemptions for TTB's one remaining system of records.

**DATES:** *Effective Date:* October 19, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Karen Welch, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau (202-453-2046) or [Karen.Welch@ttb.gov](mailto:Karen.Welch@ttb.gov).

**SUPPLEMENTARY INFORMATION:** Effective January 24, 2003, the Homeland Security Act of 2002 divided the Bureau of Alcohol, Tobacco and Firearms (ATF) into two new Agencies, the Alcohol and Tobacco Tax and Trade Bureau (TTB) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE) in the Department of Justice. ATFE oversees Federal firearms, explosives, and arson laws and programs, and administers laws pertaining to alcohol and tobacco smuggling and diversion. TTB is responsible for administering chapters 51 (relating to distilled spirits, wine, and beer) and 52 (relating to tobacco products and cigarette papers and tubes) of title 26 U.S.C., the Internal Revenue Code of 1986, as amended (IRC). TTB also administers sections 4181 and 4182 (relating to the excise tax on firearms and ammunition) of the IRC and title 27 of the U.S.C. (relating to alcohol).

After the organizational change, TTB conducted a review of its records to

determine which records are Privacy Act systems of records. The review determined that one of the six ATF systems of records still existed within TTB, and five of ATF's six systems of records could be removed from the Department of the Treasury's Privacy Act systems of records inventory. As a result of this review, on September 2, 2008, the Department of the Treasury published in the **Federal Register** at 73 FR 51344 a notice of systems of records for the one system currently in TTB's inventory, "Treasury/TTB .001—Regulatory Enforcement Record System."

The changes in organization and in TTB's inventory of systems of records also required changes to the Department of the Treasury's regulations in 31 CFR part 1. On September 2, 2008, the Department of the Treasury published in the **Federal Register** (73 FR 51218) an interim rule amending 31 CFR 1.20 and 1.36 by revising the title of the Bureau from "Bureau of Alcohol, Tobacco and Firearms" to "Alcohol and Tobacco Tax and Trade Bureau," by removing three Privacy Act systems of records from the 31 CFR 1.36, by renaming the one remaining system of records, and by retaining the prior exemption from certain provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2) for the one remaining, renamed system of records.

The interim rule also invited the submission of public comments on the regulatory amendments, prior to the comment period closing on October 2, 2008. The Department did not receive any comments on the interim rule. Accordingly, we have determined that it is appropriate to adopt that interim rule as a final rule without change.

In accordance with Executive Order 12866, it has been determined that this final rule is not a "significant regulatory action" and, therefore, does not require a Regulatory Impact Analysis. The regulation will not have 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. Therefore, it has been determined that this final rule does not have federalism implications under Executive Order 13132.

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

#### List of Subjects in 31 CFR Part 1

Freedom of Information; Privacy.

## The Regulatory Amendment

■ For the reasons discussed in the preamble, the interim rule amending 31 CFR part 1, published in the **Federal Register** at 73 FR 51218 on September 2, 2008, is adopted as a final rule without change.

Dated: September 28, 2010.

**Melissa Hartman,**

*Deputy Assistant Secretary for Privacy, Transparency, and Records.*

[FR Doc. 2010-26326 Filed 10-18-10; 8:45 am]

BILLING CODE 4810-31-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2010-0950]

#### Safety Zone, Brandon Road Lock and Dam to Lake Michigan Including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a segment of the Safety Zone; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Ship and Sanitary Canal, Chicago River, Calumet-Saganashkee Channel on all waters of the Chicago Sanitary and Ship Canal between Mile Marker 291.0 and Mile Marker 296.1 from 4 p.m. on October 19, 2010 to 12 p.m. on October 20, 2010 and from 4 p.m. on October 20, 2010 to 10 a.m. on October 21, 2010. This action is necessary to protect the waterways, waterway users, and vessels from hazards associated with intensive fish sampling efforts in the Lockport pool to be conducted by the Illinois Department of Natural Resources (IDNR). These sampling efforts will include the setting of nets throughout this portion of the Chicago Sanitary and Ship Canal. The purpose of this sampling is to provide essential information in connection with efforts to control the spread of aquatic nuisance species that might devastate the waters of the Chicago Sanitary and Ship Canal.

During the enforcement period, entry into, transiting, mooring, laying-up or anchoring within the enforced area of this safety zone by any person or vessel is prohibited unless authorized by the Captain of the Port, Sector Lake

Michigan, or his or her designated representative.

**DATES:** The regulations in 33 CFR 165.T09-0166 will be enforced from 4 p.m. on October 19, 2010 to 12 p.m. on October 20, 2010 and from 4 p.m. on October 20, 2010 to 10 a.m. on October 21, 2010.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or e-mail CDR Tim Cummins, Deputy Prevention Division, Ninth Coast Guard District, telephone 216-902-6045, e-mail address [Timothy.M.Cummins@uscg.mil](mailto:Timothy.M.Cummins@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce Safety Zone, Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, Calumet-Saganashkee Channel, Chicago, IL listed in 33 CFR 165.T09-0166(a)(2), on all waters of the Chicago Sanitary and Ship Canal between Mile Marker 291.0 and Mile Marker 296.1 from 4 p.m. on October 19, 2010 to 12 p.m. on October 20, 2010 and then again from 4 p.m. on October 20, 2010 to 10 a.m. on October 21, 2010.

This enforcement action is necessary because the Captain of the Port, Sector Lake Michigan has determined that the IDNR fish sampling effort poses risks to life and property. Specifically, there will be congested waterways and the extensive placement of nets throughout the portion of the Chicago Sanitary and Ship Canal between Mile Marker 291.0 and Mile Marker 296.1. The combination of vessel traffic, nets, and electric current in the water makes the control of vessels through the impacted portion of the Chicago Sanitary and Ship Canal necessary to prevent injury and property loss.

In accordance with the general regulations in § 165.23 of this part, entry into, transiting, mooring, laying up, or anchoring within the enforced area of this safety zone by any person or vessel is prohibited unless authorized by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

This notice is issued under authority of 33 CFR 165.T09-0166 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Captain of the Port, Sector Lake Michigan, will also provide notice through other means, which may include but are not limited to Broadcast Notice to Mariners, Local Notice to Mariners, local news media, distribution in leaflet form, and on-scene oral notice. Additionally, the Captain of the Port, Sector Lake Michigan, may notify representatives from the maritime industry through telephonic and e-mail notifications.

Dated: October 5, 2010.

**L. Barndt,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Lake Michigan.*

[FR Doc. 2010-26213 Filed 10-18-10; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 2

**RIN 1024-AD91**

#### General Regulation: National Park System

**AGENCY:** National Park Service, Interior.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The National Park Service (NPS) is issuing this interim general rule governing demonstrations and the sale and distribution of printed matter for most of the National Park System as well as request for comments. This rule revises the definition of what constitutes a demonstration and exempts individuals and small groups from the requirement to obtain a permit for demonstrations and the sale or distribution of printed matter, consistent with the decisions in the *Boardley v. Department of the Interior* litigation. This rule also refines how applications are processed and prohibits the harassment of visitors and obstruction of public passageways.

**DATES:**

*Effective Date:* October 19, 2010.

*Comment Date:* Comments must be received by December 20, 2010.

**ADDRESSES:** You may submit comments, identified by the number 1024-ADXX, by any of the following methods:

—*Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.  
—*Mail:* National Park Service, Attn. Special Park Uses Program Manager, 1849 C St., NW., MS-3122, Washington, DC 20240.

All submissions received must include the agency name and RIN 1024-ADXX. For additional information see “Public Participation” under **SUPPLEMENTARY INFORMATION** below.

**FOR FURTHER INFORMATION CONTACT:** Lee Dickinson, Special Park Use Program Manager, 1849 C St., NW., Washington, DC., 20240 (202) 208-4206.

**SUPPLEMENTARY INFORMATION:**

**Background**

The NPS Organic Act, 16 U.S.C. 1, created the NPS to “promote and regulate the use of Federal areas known

as national parks,” and charged it with the following “fundamental purpose”: “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for future generations.” In 1978, Congress enacted 16 U.S.C. 1a-1, which provides that all of the units of the National Park System

\* \* \* though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superlative environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States. \* \* \*

Congress also empowered the Secretary of the Interior, at 16 U.S.C. 3, to

\* \* \* make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks.

The National Park System currently consists of 392 park units. It covers more than 84 million acres and is located in every state (except Delaware), the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands. This area equals 131,753 square miles, which is larger than the total areas of the states of Pennsylvania, Tennessee and Virginia. These park units are located in a wide range of environments as diverse as the United States itself. They include urban areas, from the Town of Harpers Ferry to New York City; oceans, lakes, swamps and rivers; mountainous areas that go up in height to the 20,320-foot Mount McKinley; caves, canyons, cliffs, and karst; deserts, forests, and grasslands; and areas throughout the Nation’s reach, from Buck Island Reef National Monument in the Caribbean, to War in the Pacific National Historical Park in Guam, to Gates of the Arctic National Park and Preserve above the Arctic Circle.

The size of these park units also varies tremendously. The largest National Park is Wrangell-St. Elias National Park and National Preserve, Alaska, at 13.2 million acres. Yellowstone National Park is 2,219,790 acres. The smallest unit of the National Park System is Thaddeus Kosciuszko National Memorial, Pennsylvania, at 0.02 acres. As detailed in the *NPS*