

improve portion of the relative need formula. Consultation with tribal governments and tribal organizations is ongoing as part of the TEA-21 negotiated rulemaking process.

#### List of Subjects in 25 CFR Part 170

Highways and Roads, Indians-lands.

■ In order to distribute part of fiscal year 2004 IRR Program funds immediately we are amending part 170 in chapter I of title 25 of the Code of Federal Regulations as follows.

#### PART 170—ROADS OF THE BUREAU OF INDIAN AFFAIRS

■ 1. The authority citation for part 170 continues to read as follows:

**Authority:** 36 Stat. 861; 78 Stat. 241, 253, 257; 45 Stat. 750 (25 U.S.C. 47; 42 U.S.C. 2000e(b), 2000e-2(i); 23 U.S.C. 101(a), 202, 204), unless otherwise noted.

■ 2. Revise § 170.4b to read as follows:

#### § 170.4b What formula will BIA use to distribute \$25 million of fiscal year 2004 Indian Reservation Roads Program funds?

On December 10, 2003, we will distribute \$25 million of fiscal year 2004 IRR Program funds authorized under the Surface Transportation Extension Act of 2003, Pub. L. 108-88. We will distribute the funds to Indian Reservation Roads projects on or near Indian reservations using the relative need formula established and approved in January 1993. The formula has been modified to account for non-reporting States by inserting the latest data reported for those states for use in the relative need formula process.

Dated: November 25, 2003.

**Aurene Martin,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 03-30208 Filed 12-4-03; 8:45 am]

BILLING CODE 4310-LY-P

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

#### 31 CFR Parts 1 and 323

#### Privacy Act of 1974; Implementation

**AGENCY:** Bureau of the Public Debt, Treasury.

**ACTION:** Final rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, the Department of the Treasury exempts a Bureau of the Public Debt system of records entitled “Treasury/BPD.009—U.S. Treasury Securities Fraud Information System”

from certain provisions of the Privacy Act.

**EFFECTIVE DATE:** December 5, 2003.

**FOR FURTHER INFORMATION CONTACT:** For information about Public Debt’s anti-money laundering and fraud suppression program, contact the Fraud Inquiry Line at 304-480-8555. The phone line is administered by the Office of the Chief Counsel, Bureau of the Public Debt. For information about this document, contact the Office of the Chief Counsel, Bureau of the Public Debt, at 304-480-8692 or by e-mail at [chcounsel@bpd.treas.gov](mailto:chcounsel@bpd.treas.gov). Copies of this rule can be downloaded from the public Web site at <https://treasurydirect.gov/laws-and-regulations/auction-regulations-uoc/>.

**SUPPLEMENTARY INFORMATION:** The Department of the Treasury published a system notice for “Treasury/BPD.009—U.S. Treasury Securities Fraud Information System” in its entirety at 68 FR 34486-34489 (June 9, 2003). We did not receive any comments on the notice. The system of records became effective July 21, 2003.

We issued a proposed rule exempting the system of records from certain provisions of the Privacy Act of 1974, as amended, at 68 FR 36955-36957 (June 20, 2003). Under 5 U.S.C. 552a(k)(2), the head of an agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974, as amended, if the system is investigatory material compiled for law enforcement purposes. The system of records contains investigatory material compiled for law enforcement purposes.

The provisions of the Privacy Act from which exemption is claimed pursuant to 5 U.S.C. 552a(k)(2) are: 5 U.S.C. 552a(c)(3) (Accounting of certain disclosures available to the individual), (d)(1)-(4) (Access to records), (e)(1) (Maintenance of information to accomplish purposes authorized by statute or executive order only), (e)(4)(G) (Publication of procedures for notification), (e)(4)(H) (Publication of procedures for access and contest), (e)(4)(I) (Publication of sources of records), and (f) (Rules for notification, access and contest) to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(2) as material compiled for law enforcement purposes.

In an unrelated change, the proposed rule clarified the privacy interests afforded to close survivors of a deceased securities holder. Public Debt protected the privacy interests of securities holders by regulation long before the passage of the Privacy Act of 1974. We proposed to amend part 323 to comport

with exemption 6 of the Freedom of Information Act which permits us to withhold all information about individuals in “personnel and medical files and similar files” when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy.” Although the right to privacy of a deceased securities holder extinguishes upon death, the exemption will protect the deceased person’s family-related privacy interests in certain cases.

The proposed rule requested that public comments be sent to the Disclosure Officer, Administrative Resource Center, Bureau of the Public Debt, no later than July 21, 2003. We did not receive comments on the proposed rule. Accordingly, the Department of the Treasury is hereby giving notice that the system of records entitled “Treasury/BPD.009—U.S. Treasury Securities Fraud Information System.”, is exempt from certain provisions of the Privacy Act.

As required by 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 Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, the Department of the Treasury and Public Debt certify that these regulations will not significantly affect a substantial number of small entities. The final rule imposes no duties or obligations on small entities.

In accordance with the provisions of the Paperwork Reduction Act of 1995, the Department of the Treasury and Public Debt have determined that this final rule would not impose new record keeping, application, reporting, or other types of information collection requirements.

#### List of Subjects

31 CFR Part 1

Privacy.

31 CFR Part 323

Freedom of Information Act, Privacy.

■ Accordingly, for the reasons stated in the preamble, 31 CFR part 1, is amended as follows:

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

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552, as amended. Subpart C also issued under 5 U.S.C. 552a.

**PART 1—[AMENDED]**

**Subpart C—Privacy Act**

■ 2. In Subpart C, §1.36, paragraph (g)(1)(x) is amended by adding the following new table below the heading BUREAU OF THE PUBLIC DEBT:

Number	System name
BPD.009 .....	U.S. Treasury Securities Fraud Information System.

**PART 323—[AMENDED]**

■ 3. The authority citation for part 323 continues to read as follows:

**Authority:** 80 Stat. 379; sec. 3., 60 Stat. 238, as amended; 5 U.S.C. 301, 552.

■ 4. Revise § 323.2(b) to read as follows:

**§ 323.2 Rules Governing Availability of Information.**

\* \* \* \* \*

(b) *Limitations on the availability of records relating to securities.* Records relating to the purchase, ownership of, and transactions in Treasury securities or other securities handled by the Bureau of the Public Debt for government agencies or wholly or partially Government-owned corporations will ordinarily be disclosed only to the owners of such securities, their executors, administrators or other legal representatives or to their survivors or to investigative and certain other agencies of the Federal and State governments, to trustees in bankruptcy, receivers of insolvents' estates or where a proper order has been entered requesting disclosure of information to Federal and State courts. These records are confidential because they relate to private financial affairs of the owners under this Part. In addition, the information falls within the category of "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" under the Freedom of Information Act (FOIA), 5 U.S.C. 552(b)(6). FOIA Exemption (b)(6) protects the privacy of living persons who own securities as well as the close survivors of deceased owners. Privacy interests, in the sense of the right to control, use, or disclose information about oneself, cease at death. However, the exemption protects the deceased person's family-related privacy interests that survive death where disclosure would cause embarrassment, pain, grief,

or disrupt the peace of mind, of the surviving family. The Bureau of the Public Debt will determine, under FOIA exemption (b)(6), whether disclosure of the records is in the public interest by balancing the surviving family members' privacy interest against the public's right to know the information.

Dated: November 18, 2003.

**Teresa Mullett Ressel,**  
*Assistant Secretary for Management and Chief Financial Officer.*  
 [FR Doc. 03-30241 Filed 12-4-03; 8:45 am]

**BILLING CODE 4810-39-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

[CGD07-03-151]

RIN 1625-AA08

**Special Local Regulations; 2003 Holiday Boat Parade of the Palm Beaches, Riviera Beach, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** Temporary special local regulations are being established for the 2003 Holiday Boat Parade in Riviera Beach, Florida. The event will be held on December 6, 2003, on the waters of the Intracoastal Waterway staging in the Lake Worth turning basin southeast of Peanut Island, and proceeding north from Lake Worth South Section Marker 1 and to Jonathan's Landing Marina, Lake Worth Creek Marker 19. These regulations exclude non-participant vessels from the regulated area, which includes the staging area and the parade route, and are needed to provide for the safety of life on navigable waters during the event.

**DATES:** These regulations are effective from 6 p.m. until 9 p.m. on December 6, 2003.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of [CGD07-03-151] and are available for inspection or copying at Coast Guard Group Miami, 100 MacArthur Causeway, Miami Beach, Florida, 33139 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** BMC Vaughn, Coast Guard Group Miami, Florida at (305) 535-4317.

**SUPPLEMENTARY INFORMATION:**

**Good Cause**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be unnecessary and contrary to public safety interests. These regulations are needed to minimize danger to the public resulting from numerous spectator and participant craft in close proximity to each other around the staging area and parade route. The event will be held on Saturday December 6, 2003. There is not sufficient time to allow for a notice and comment period, prior to the event. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. In addition, advance notifications will be made via marine information broadcasts.

For the same reasons, the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

**Background and Purpose**

The 2003 Holiday Boat Parade of the Palm Beaches is a nighttime parade of approximately 60 pleasure boats decorated with holiday lights. These boats range in length from 15 feet to 50 feet. It is anticipated that approximately 200 spectator craft will view the parade. The parade will form in a staging area located within the Lake Worth turning basin on the southeast side of Peanut Island and encompassing all waters within the turning basin west of a line connecting Marker 12 on the north side of the turning basin and Marker 13 on the south side of the turning basin. The parade will then commence and proceed north from Lake Worth South Section Marker 1 on the Intracoastal Waterway (ICW) to Jonathan's Landing Marina at Lake Worth Creek Marker 19, where the parade will disperse. The regulated area includes the staging area and the parade route.

**Discussion of Rule**

The special local regulations for this event prohibit non-participant vessels from entering the regulated area, which includes the staging area and the parade route.

The staging area encompasses all waters within the Lake Worth turning basin on the southeast side of Peanut Island west of a line connecting Lake Worth Inlet Marker 12 on the north side of the turning basin and Marker 13 on the south side of the turning basin. No anchoring is permitted in the staging area.

The parade route encompasses the Intracoastal Waterway from Lake Worth