

the regulation is in effect via a Broadcast Notice to Mariners.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

The Coast Guard has analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We have considered the environmental impact of this rule and concluded that under figure 2-1, paragraph 34(g), of Commandant Instruction M16475.ID, this rule is categorically excluded from further environmental documentation. A written categorical exclusion determination is available in the docket for inspection or copying where indicated under **ADDRESSES**.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that Order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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 temporary § 165.T09-526 is added to read as follows:

§ 165.T09-526 Safety Zone; Lake Michigan, Chicago, IL.

(a) *Location.* The safety zone will encompass the waters of Lake Michigan within the arc of a circle with a 1400-foot radius from the fireworks launch site in Monroe Street Harbor with its center in approximate position 41°52'41" N, 087°36'37" W (NAD 1983).

(b) *Effective time and date.* This section is effective from 11:55 p.m. (local) December 31, 2002 until 12:20 a.m. (local), on January 1, 2003.

(c) *Regulations.* This safety zone is being established to protect the boating public during a planned fireworks display. In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Chicago, or his designated on-scene representative.

Dated: December 15, 2002.

R.E. Seebald,

Captain, Coast Guard, Captain of the Port Chicago.

[FR Doc. 02-32408 Filed 12-23-02; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02-3213; MM Docket No. 01-215, RM-10228; MM Docket No. 01-252, RM-10275; MM Docket No. 01-212, RM 10222; MM Docket No. 01-210, RM-10225; MM Docket No. 01-214, RM-10227; MM Docket No. 01-304, RM-10309; and MM Docket No. 01-305, RM-10310.]

Radio Broadcasting Services; Sparkman, AR; Moberly, MO; Kiowa, OK; Crowell, Menard, and San Isidro, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document grants six proposals that allot new FM channels to Sparkman, Arkansas; Moberly, Missouri; Kiowa, Oklahoma; Menard and San Isidro, Texas. It also dismisses, at the petitioner's request, a petition for rule making requesting the allotment of

Channel 293C3 at Crowell, Texas. Filing windows for Channel 259A at Sparkman, Arkansas; Channel 223A at Moberly, Missouri; Channel 254A at Kiowa, Oklahoma; Channels 242A and 287C3 at Menard, Texas; and Channel 247A at San Isidro, Texas, will not be opened at this time. Instead, the issue of opening these allotments for auction will be addressed by the Commission in a subsequent order. *See* **SUPPLEMENTARY INFORMATION**.

DATES: Effective January 24, 2003.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order in MM Docket No. 01-215, MM Docket No. 01-252, MM Docket No. 01-212, MM Docket No. 01-210, MM Docket No. 01-214, MM Docket No. 01-304, and MM Docket No. 01-305 adopted December 4, 2002, and released December 9, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center at Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. The document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202 863-2893, facsimile 202 863-2898, or via e-mail qualexint@aol.com.

The Commission, at the request of Big Country Radio, Inc. and Jeraldine Anderson, allots Channel 259A at Sparkman, Arkansas, as the community's first local aural transmission service. *See* 66 FR 47433 (September 12, 2001). Channel 259A can be allotted at Sparkman in compliance with the Commission's minimum distance separation requirements with no site restrictions. The coordinates for Channel 259A at Sparkman are 33-55-00 North Latitude and 92-50-53 West Longitude.

The Commission, at the request of Charles Crawford, allots Channel 223A at Moberly, Missouri, as the community's sixth local aural transmission service. *See* 66 FR 50602 (October 4, 2001). Channel 223A can be allotted to Moberly in compliance with the Commission's minimum distance separation requirements with no site restrictions. The coordinates for Channel 223A at Moberly are 39-25-06 North Latitude and 92-26-17 West Longitude.

The Commission, at the request of Maurice Salsa, allots Channel 254A at Kiowa, Oklahoma, as the community's

first local aural transmission service. *See* 66 FR 47433 (September 12, 2001). Channel 254A can be allotted to Kiowa in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.1 kilometers (4.4 miles) west of Kiowa. The coordinates for Channel 254A at Kiowa are 34-42-23 North Latitude and 95-58-48 West Longitude.

The Commission, at the request of Katherine Pyeatt in MM Docket No. 01-210, dismisses her petition for rule making requesting the allotment of Channel 293C3 at Crowell, Texas.

The Commission, at the request of Katherine Pyeatt, allots Channel 242A at Menard, Texas, as the community's second local aural transmission service. *See* 66 FR 47433 (September 12, 2001). Channel 242A can be allotted to Menard in compliance with the Commission's minimum distance separation requirements with a site restriction of 11.8 kilometers (7.3 miles) northwest of Menard. The coordinates for Channel 242A at Menard are 30-59-47 North Latitude and 99-52-06 West Longitude.

The Commission, at the request of Jeraldine Anderson, allots Channel 287C3 at Menard, Texas, as the community's third local aural transmission service. *See* 66 FR 54971 (October 31, 2001). Channel 287C3 can be allotted to Menard in compliance with the Commission's minimum distance separation requirements with a site restriction of 11.9 kilometers (7.4 miles) southwest of Menard. The coordinates for Channel 287C3 at Menard are 30-52-29 North Latitude and 99-54-00 West Longitude.

The Commission, at the request of Jeraldine Anderson, allots Channel 247A at San Isidro, Texas, as that community's first local aural transmission service. *See* 66 FR 54971 (October 31, 2001). Channel 247A can be allotted to San Isidro in compliance with the Commission's minimum distance separation requirements with a site restriction of 4.2 kilometers (2.6 miles) northeast of San Isidro. The coordinates for Channel 247A at San Isidro are 26-45-00 North Latitude and 98-26-00 West Longitude.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arkansas, is amended by adding Sparkman, Channel 259A.

3. Section 73.202(b), the Table of FM Allotments under Missouri, is amended by adding Channel 223A at Moberly.

4. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by adding Kiowa, Channel 254A.

5. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channels 242A and 287C3 at Menard, and San Isidro, Channel 247A.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division Media Bureau.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 76

[MM Docket No. 98-204, FCC 02-303]

RIN 4223

Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment and reply comment period.

SUMMARY: In this document, the Media Bureau (Bureau) extends the comment and reply comments filing deadline in this docket. The intended effect of this action is to allow additional time in which to file comments and reply comments.

DATES: Comments are due January 16, 2003, and reply comments are due February 3, 2003.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Estella Salvatierra, Media Bureau. (202) 418-1789.

SUPPLEMENTARY INFORMATION:

1. This is a synopsis of the Media Bureau's Order granting an extension of time for filing comments and reply comments in *Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies*, DA 02-3525, released December 19, 2002.