

concluded that, under figure 2–1, paragraph 34(g), of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. A “Categorical Exclusion Determination” is available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

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

■ For the reasons discussed 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. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1

■ 2. From May 27, 2005 to May 29, 2005 add temporary § 165.T01–033 to read as follows:

§ 165.T01–033 Safety Zone; Jones Beach Air show, Jones Beach, Wantagh, NY.

(a) *Location.* Beginning at a point on land located in Jones Beach State Park at approximate position 40°35′06″ N, 073°32′37″ W, then running east along the shoreline of Jones Beach State Park to approximate position 40°35′49″ N, 073°28′47″ W; then running south to an position in the Atlantic Ocean off of Jones Beach at approximate position 40°34′23″ N, 073°32′23″ W; then running west to approximate position 40°35′05″ N, 073°28′34″ W; then running north to the point of beginning at approximate position 40°35′06″ N, 073°32′37″ W. All coordinates are North American Datum 1983.

(b) *Enforcement Period.* This rule will be enforced from 1 p.m. to 3:30 p.m. on Friday May 27, 2005 and 9 a.m. to 3:30 p.m. each day on May 28, 2005 and May 29, 2005.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port (COTP), Long Island Sound.

(2) All persons and vessels must comply with the Coast Guard Captain of the Port or designated on-scene patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local, state, and

federal law enforcement vessels. Upon being hailed by siren, radio, flashing light or other means from a U.S. Coast Guard vessel or other vessel with on-scene patrol personnel aboard, the operator of the vessel shall proceed as directed.

Dated: May 20, 2005.

J.J. Plunkett,

Commander, U.S. Coast Guard, Acting Captain of the Port, Long Island Sound.

[FR Doc. 05–10592 Filed 5–23–05; 3:44 pm]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[CGD13–05–018]

RIN 1625–AA87

Security Zone; Protection of Military Cargo, Captain of the Port Zone Puget Sound, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement.

SUMMARY: The Captain of the Port Puget Sound will begin enforcing the Budd Inlet security zone in West Bay, Olympia, Washington on Wednesday, May 25, 2005, at 8 a.m. Pacific daylight time. The security zone provides for the security of Department of Defense assets and military cargo in the navigable waters of Puget Sound and adjacent waters. The security zone will be enforced until Friday, May 27, 2005, at 11:59 p.m. Pacific daylight time.

DATES: The Budd Inlet security zone set forth in 33 CFR 165.1321 will be enforced from Wednesday, May 25, 2005, at 8 a.m. to Friday, May 27, 2005, at 11:59 p.m. Pacific daylight time, at which time enforcement will be suspended.

FOR FURTHER INFORMATION CONTACT:

LTJG J.L. Hagen, c/o Captain of the Port Puget Sound, 1519 Alaskan Way South, Seattle, WA 98134 at (206) 217–6200 or (800) 688–6664 to obtain information concerning enforcement of this rule.

SUPPLEMENTARY INFORMATION: On August 27, 2004, the Coast Guard published a final rule (69 FR 52603) establishing regulations, in 33 CFR 165.1321, for the security of Department of Defense assets and military cargo in the navigable waters of Puget Sound and adjacent waters. On December 10, 2004, the Coast Guard published a final rule (69 FR 71709), which amended 33 CFR 165.1321 by adding Budd Inlet,

Olympia, WA as a permanent security zone. These security zones provide for the regulation of vessel traffic in the vicinity of military cargo loading facilities in the navigable waters of the United States. These security zones also exclude persons and vessels from the immediate vicinity of these facilities during military cargo loading and unloading operations. In addition, the regulation establishes requirements for all vessels to obtain permission of the COTP or the COTP’s designated representative, including the Vessel Traffic Service (VTS) aspect of Sector Seattle to enter, move within, or exit these security zones when they are enforced. Entry into these zones is prohibited unless otherwise exempted or excluded under 33 CFR 165.1321 or unless authorized by the Captain of the Port or his designee. The Captain of the Port Puget Sound will begin enforcing the Budd Inlet security zone established by 33 CFR 165.1321 on Wednesday, May 25, 2005, at 8 a.m. Pacific daylight time. The security zone will be enforced until Friday, May 27, 2005 at 11:59 p.m. Pacific daylight time. All persons and vessels are authorized to enter, move within, and exit the security zone on or after Friday, May 27, 2005, at 11:59 p.m. Pacific daylight time unless a new notice of enforcement is issued before then.

Dated: May 20, 2005.

Danny Ellis,

Captain, U. S. Coast Guard, Captain of the Port, Puget Sound.

[FR Doc. 05–10593 Filed 5–23–05; 3:44 pm]

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DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

37 CFR Part 1

[Docket No.: 2005–P–055]

RIN 0651–AB87

Changes to the Practice for Handling Patent Applications Filed Without the Appropriate Fees

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Final rule.

SUMMARY: Among other changes to patent and trademark fees, the Consolidated Appropriations Act, 2005 (Consolidated Appropriations Act), splits the former patent application basic filing fee into a separate basic filing (or basic national) fee, search fee and examination fee, and requires an