a substantial number of small entities. As stated above, the Department believes that the amendment would create a slight economic benefit for parties in fitness cases.

Executive Order 12612 (Federalism)

This rule has been analyzed in accordance with the principles and criteria contained in Executive Order 12612. The Department has determined that the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. This rule would 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.

National Environmental Policy Act

The Department has also analyzed this rule for the purpose of the National Environmental Policy Act. The rule would not have any significant impact on the quality of the human environment.

Paperwork Reduction Act

There are no reporting or recordkeeping requirements associated with this rule.

List of Subjects

14 CFR Part 300

Administrative practice and procedure, Conflict of interests.

14 CFR Part 385

Organization and functions (Government agencies).

For the reasons set out in the Supplementary Information, title 14, chapter II of the Code of Federal Regulations is amended as follows:

PART 300-[AMENDED]

1. The authority citation for part 300 is revised to read as follows:

Authority: 49 U.S.C. subtitle I and chapters 401, 411, 413, 415, 417, 419, 421, 449, 461, 463, and 465.

2. Section 300.2 is amended by adding new paragraph (c)(10) to read as follows:

§ 300.2 Prohibited communications. *

* *

*

(c) * * *

(10) Information given at the request of a DOT career employee in the course of investigating or clarifying information filed, or pursuant to a waiver granted to an applicant or other interested person, in docketed proceedings involving determinations of fitness and/or U.S.

citizenship only, for that portion of the proceeding that precedes the issuance of a show-cause order or an order instituting a formal proceeding. Motions for such waivers and any answers shall be filed in the applicable docket in accordance with § 302.18 of the Department's Procedural Regulations (14 CFR 302.18) and served upon all parties to the proceeding. * * *

PART 385—[AMENDED]

3. The authority citation for part 385 is revised to read as follows:

Authority: 49 U.S.C. chapters 401, 411, 413, 415, 417, and 419.

4. Section 385.14 is amended by adding new paragraph (p) to read as follows:

§ 385.14 Authority of the Director, Office of Aviation Analysis. * *

(p) Approve or deny requests for waivers from 14 CFR 300.2(a) in docketed air carrier initial certificate application and continuing fitness proceedings.

* * Issued in Washington, DC, on February 16, 1995

Patrick V. Murphy,

Acting Assistant Secretary for Aviation and International Affairs. [FR Doc. 95-4328 Filed 2-23-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 943

[Docket 950207042-5042-01]

RIN 0648-AB49

Flower Garden Banks National Marine Sanctuary Regulations

AGENCY: Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Final rule.

SUMMARY: This document adopts as final regulations without change the interim final portion of regulations implementing the designation of the Flower Garden Banks National Marine Sanctuary, published on December 5, 1991 (56 FR 63634).

EFFECTIVE DATE: March 27, 1995.

FOR FURTHER INFORMATION CONTACT: Edward Lindelof, Gulf and Caribbean Regional Manager, Sanctuaries and Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, 1305 East West Highway, SSMC-4, Silver Spring, MD 20910 (301/713-3137).

SUPPLEMENTARY INFORMATION: Section 101 of P.L. 102-251, signed into law on March 9, 1992, provides that the designation of the Flower Garden Banks National Marine Sanctuary took effect on January 17, 1992. Both final and interim final regulations implementing the designation were published on December 5, 1991 (56 FR 63634); NOAA invited comments on the interim final regulations to be submitted in writing on or before February 3, 1992. NOAA received one comment, which is discussed below under Background. The comment results in no change. Accordingly, the interim final portions of 15 CFR part 943 (§ 943.3(a)(5), (6), (7), (9), (12), (14), and (15), § 943.5 (a)(1), (11) (12) (13), and (e), and §943.6, published at 56 FR 63634, December 5, 1991) are adopted as final regulations without change.

I. Background

As indicated above, NOAA invited comments on the interim final regulations to be considered if submitted in writing on or before February 3, 1992. The following comment was received by NOAA in response to the interim final regulations prohibiting exploring for, developing or producing oil, gas or minerals within a no-activity zone (15 CFR § 943.5(a)(1)).

(1) Comment: The commenter recommends that the prohibition against exploring for, developing or producing oil, gas or minerals within a no-activity zone not apply to geophysical surveys and seismic exploration.

Response: The prohibition against exploring for, developing or producing oil, gas or minerals within a no-activity zone does not apply to geophysical surveys and seismic exploration. However, seismic techniques involving possessing or using explosives, or releasing electrical discharges, are prohibited in the Sanctuary by regulation 15 CFR § 943.5(a)(14).

The use of air guns involved in seismic surveys in the Flower Garden Banks National Marine Sanctuary has been listed for possible regulation, so that if the use of air guns in seismic surveys is later demonstrated to have an adverse impact on Sanctuary resources, additional regulations can be proposed. If such regulations are eventually proposed, the public will have an