

average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer to the operators at no cost. Based on these figures, the cost impact of this optional terminating action is estimated to be \$120 per airplane.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

SAAB Aircraft AB: Docket 96-NM-213-AD.

Applicability: Model SAAB 2000 series airplanes, serial numbers -004 through -039 inclusive, on which Saab Modification No. 5780, as specified in Saab Service Bulletin 2000-53-020, Revision 02, dated October 18,

1996, has not been accomplished; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent short circuiting between the floormat heater and the floor panel, which could cause overheating of the floormat heater and lead to smoke or fire in the airplane cabin, accomplish the following:

(a) Within 14 days after the effective date of the AD, deactivate the flight attendant's floormat heater by either disconnecting electrical cable HW71-20 between the floormat heater and the floor panel, or by removing fuse 17HW (1) on panel 306VU, in accordance with Saab Service Bulletin 2000-A25-022, Revision 01, dated January 23, 1996.

(b) Installation of a floormat heater, floor covering, and a new floor panel made of non-conductive material, in accordance with Saab Service Bulletin 2000-53-020, Revision 02, dated October 18, 1996, constitutes terminating action for the deactivation required by paragraph (a) of this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on May 16, 1997.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-13466 Filed 5-21-97; 8:45 am]

BILLING CODE 4910-13-U

RAILROAD RETIREMENT BOARD

20 CFR Parts 222 and 229

RIN 3220-AB28

Family Relationships; Social Security Overall Minimum Guarantee

AGENCY: Railroad Retirement Board.

ACTION: Proposed rule.

SUMMARY: In accord with amendments to the Social Security Act made by section 104 of Public Law 104-121, the Railroad Retirement Board hereby proposes to amend its regulations to eliminate the "living with" requirement as an alternative to actual dependency as a basis for eligibility for an annuity as the stepchild of a railroad employee, and to provide for termination of the inclusion of a stepchild in the computation of the social security overall minimum guarantee provision when the stepparent's marriage to the natural parent is terminated.

DATES: Comments must be received on or before July 21, 1997.

ADDRESSES: Secretary of the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Michael C. Litt, General Attorney, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611, telephone (312) 751-4929, TTD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Section 2(d)(4) of the Railroad Retirement Act provides in pertinent part that a child is deemed dependent if the conditions set forth in sections 202(d)(3), (4), and (9) of the Social Security Act are met. Since section 202(d)(4), as amended by Public Law 104-121, requires as a condition of dependency that the child have received one-half his or her support from the stepparent, and eliminates the alternative of the child having lived with the stepparent as a means of establishing dependency, this change in the definition of dependency in regard to stepchildren applies to benefits paid under the Railroad Retirement Act. Specifically, it will impact upon the entitlement of a spouse or survivor of an employee whose entitlement is based upon having a stepchild of the employee in care, or on an individual seeking a child's annuity as a stepchild of an employee. In these instances, actual dependency on the employee will have to be established for purposes of entitlement. The amendment is effective with respect to the benefits of individuals who become entitled to benefits for July 1996 and later.

The change will also affect the inclusion of auxiliary beneficiaries in the computation of the employee annuity under the Social Security overall minimum guarantee provision of the Railroad Retirement Act. The Social Security overall minimum guarantee provision guarantees that a railroad retirement annuitant will receive, in a combined benefits under the Railroad Retirement and Social Security Acts, not less than the amount which would have been paid to the employee and members of his family under the Social Security Act if the employee's railroad service had been creditable under that Act.

Public Law 104-121 also amends section 202(d)(1) of the Social Security Act to provide that a child's benefits based on the earnings record of a stepparent will terminate the month after the month in which the stepparent and the natural parent are divorced. The Railroad Retirement Act contains its own termination provisions: Section 5(c)(7) of that Act specifies when a child's annuity paid under the Railroad Retirement Act terminates. Therefore, this amendment to section 202(d)(1) does not directly apply to benefits paid under the Railroad Retirement Act. However, it will affect the inclusion of auxiliary beneficiaries in the computation of the Social Security overall minimum guarantee provision.

Consequently, under section 202(d)(1), as amended, if the marriage of a railroad employee stepparent and natural parent is terminated, then the stepchild would no longer be included in the computation under the Social Security overall minimum guarantee provision. Therefore, the Board is proposing to amend its regulations to provide that the inclusion of the stepchild in the computation under the Social Security overall minimum guarantee provision will terminate when the marriage of the stepparent and the natural parent is terminated.

The Office of Management and Budget has determined that this is not a significant regulatory action under Executive Order 12866. There are no new information collections associated with this rule.

List of Subjects in 20 CFR Parts 222 and 229

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, title 20, chapter II, parts 222 and 229 of the Code of Federal Regulations are proposed to be amended as follows:

PART 222—FAMILY RELATIONSHIPS

1. The authority citation for part 222 continues to read as follows:

Authority: 45 U.S.C. 231f.

§ 222.55 [Amended]

2. Section 222.55 is amended by removing the words "is living with or".

PART 229—SOCIAL SECURITY OVERALL MINIMUM GUARANTEE

3. The authority citation for part 229 continues to read as follows:

Authority: 45 U.S.C. 231f(b)(5).

4. Section 229.42 is amended by removing the period at the end of paragraph (f), by adding "; or" to the end of paragraph (f), and by adding a new paragraph (g) to read as follows:

§ 229.42 When a child can no longer be included in computing an annuity rate under the overall minimum.

* * * * *

(g) In the case of a stepchild of the employees, the month after the month in which the divorce between the stepparent and the natural parent becomes final.

Dated: May 9, 1997.

Beatrice Ezerski,

Secretary of the Board.

[FR Doc. 97-13395 Filed 5-21-97; 8:45 am]

BILLING CODE 7905-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD09-97-014]

RIN 2115-AE47

Drawbridge Operation Regulations; Manistee River, MI

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to revise the regulations governing the operations of the Maple Street bridge, mile 1.1, and the U.S. Route 31 bridge, mile 1.4, both over the Manistee River in Manistee, MI. This proposal would change the times that the bridges are required to open on signal between May 1 and October 31. The current hours of 6 a.m. to 10 p.m. would be revised to 7 a.m. to 11 p.m. This revision was requested for the convenience of recreational vessels using the facilities above the bridges.

DATES: Comments must be received on or before July 21, 1997.

ADDRESSES: Comments may be mailed or delivered to Commander (obr), Ninth Coast Guard District, 1240 E. Ninth St., Room 2019, Cleveland, OH 44199-2060, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (216) 902-6084.

FOR FURTHER INFORMATION CONTACT: Mr. Scot M. Striffler, Project Manager, at (216) 902-6084.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Mr. Scot Striffler, Project Manager, and Lieutenant Commander Kent Booher, Project Counsel, Ninth Coast Guard District.

Request for Comments

The Coast Guard encourages interested persons to submit written data, or arguments for or against this rule. Persons submitting comments should include their name, address, identify this rulemaking (CGD09-97-014), the specific section of this rule to which each comment applies, and the reasons(s) for each comment. The Coast Guard requests that all comments and attachments be submitted in an 8½" x 11" unbound format suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons wanting acknowledgement of receipt of comments should enclose a stamped self-addressed post card or envelope. Persons may submit comment by writing to the Commander (obr), Ninth Coast Guard District listed under **ADDRESSES**.

Background and Purpose

The City of Manistee, MI, on behalf of the marina owners in Manistee, requested the Coast Guard approve a change to the operating regulations pertaining to the Maple Street bridge and U.S. Route 31 bridge over the Manistee River. The City of Manistee owns and operates the Maple Street bridge. The Michigan Department of Transportation (MDOT) owns the U.S. Route 31 bridge and contracts the City of Manistee to operate the bridge. The marina owners and operators on Manistee Lake requested the hours during which the bridges open on signal be revised to allow longer evening sailing times for the vessels using the marinas above the bridges.

The City of Manistee conducted meetings with marina owners, along with a written survey of boat owners using these facilities, in January-