

(c) *Public safety officer* is an officer as defined in § 32.2(j), with respect to whom PSOB benefits have been approved under subpart A of this part on account of the officer's death or disability in the line of duty.

(d) *Child* means any person who was the biological, adopted, or posthumous child, or the stepchild, of a public safety officer at the time of the officer's death or disabling injury with respect to which PSOB benefits were approved under subpart A of this part. A stepchild must meet the provisions set forth in § 32.15.

(e) * * *

(f) *Dependent* means the child or spouse of any eligible public safety officer.

* * * * *

5. Section 32.33 is amended by revising paragraph(a)(1) to read as follows:

§ 32.33 Eligibility for assistance.

(a) * * *

(1) The child of any public safety officer with respect to whom PSOB benefits have been approved under subpart A of this part;

* * * * *

6. Section 32.34 is amended by revising paragraph (b)(2) to read as follows:

§ 32.34 Application for assistance.

* * * * *

(b) * * *

(2) In the case of a disabled public safety officer approved for PSOB benefits under subpart A of this part, applicants for assistance under this subpart must submit birth or marriage certificates or other proof of relationship consistent with §§ 32.12 (spouse) and 32.13 (child), if such evidence had not been submitted with respect to the PSOB claim.

* * * * *

§ 32.35 [Amended]

7. Section 32.35(a) is amended by inserting "or permanently and totally disabled in the line of duty on or after October 3, 1996, and each dependent of a public safety officer killed in the line of duty on or after October 1, 1997" after "1992."

8. Section 32.37 is amended by revising paragraph (c) and adding a new paragraph (d) to read as follows:

§ 32.37 Determination of benefits.

* * * * *

(c) Benefits payable under this subpart shall be in addition to any other benefit that may be due from any other source, except that, if the PSOEA assistance in combination with other

benefits would exceed the total approved costs for the applicant's program of education, the assistance under this subpart will be reduced by the amount of such excess.

(d) Benefits will be calculated in such a manner so as to ensure those applicants who qualify for benefits, and who are in financial need, i.e. would be unable to attend a program of study at a qualified institution of higher education in the absence of the total benefit for which they qualify, receive priority in receiving the authorized assistance. Those qualified applicants who are in financial need, as determined by BJA, will receive an amount of benefits to which they are entitled, and which allow them to attend the approved program of study. Those qualified applicants whose attendance at a program of study at an institution of higher education is not contingent on the award of benefits under this part, may receive a reduced amount of benefits in the event that funds appropriated under this program are not sufficient to award all qualified applicants the total amount of benefits to which they are otherwise entitled.

Dated: May 14, 1999.

Nancy Gist,

Director, Bureau of Justice Assistance.

[FR Doc. 99-12855 Filed 5-24-99; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD13-99-008]

RIN 2115-AE47

Drawbridge Operations Regulations; Willamette River, OR

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the operating regulations for all the Multnomah County drawbridges and the Union Pacific drawbridge across the Willamette River at Portland, Oregon. The proposed amendment would extend by one half-hour each the morning and afternoon periods, Monday through Friday (except Federal or State holidays), that the draws need not open for the passage of vessels. These weekday draw-closure periods serve to relieve congestion at peak times for street traffic.

DATES: Comments must reach the Coast Guard on or before July 26, 1999.

ADDRESSES: You may mail comments to Commander (oan), Thirteenth Coast Guard District, 915 Second Avenue, Seattle, Washington, 98174-1067, or deliver them to room 3510 between 7:45 a.m. and 4:15 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Plans and Programs Section, Aids to Navigation and Waterways Management Branch, Telephone (206) 220-7272.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should identify this rulemaking (CGD 13-99-008) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgement of receipt of comments should enclose stamped, self-addressed envelopes or postcards. The Coast Guard will consider all comments received during the comment period. It may change the proposed rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Coast Guard include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The purpose of the proposed change to § 117.897 is to make the periods in which the draws need not open for the passage of vessels congruent with the periods of peak commuter street-traffic in Portland. The current closed periods are from 7 a.m. to 8:30 a.m. and 4 p.m. to 5:30 p.m., Monday through Friday, except for holidays. Traffic on highways and streets has increased in recent years in Portland. With the periods lengthened by a half-hour each, the closures coincide better with the actual periods of peak road travel. The lengthening of the periods by this modest amount should not unreasonably impede navigation. The Coast Guard has no record of complaints against the closed periods now in effect.

The bridges subject to this proposed change are the Broadway Bridge at mile

11.7, the Steel Bridge at mile 12.1, the Burnside Bridge at mile 12.4, the Morrison Bridge at mile 12.8, and the Hawthorne Bridge at mile 13.1. Multnomah County owns all of these bridges, except Steel Bridge, which the Union Pacific Railroad owns. The upper deck of this double-decked vertical-lift bridge is a roadway operated by the Oregon Department of Transportation.

Discussion of Proposed Rule

By lengthening the periods by one half-hour when the draw spans need not open for the passage of vessels, Monday through Friday, we should reduce traffic congestion. The revised closed periods will coincide more accurately with periods of peak commuter travel on arterial streets of Portland.

Regulatory Evaluation

This proposed rule is not a significant regulatory action under 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full regulatory evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The proposed rule would improve commuter traffic flow without unreasonably hindering navigation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard considers whether this proposed rule, if adopted, will have a significant economic impact on a substantial number of small entities. "small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000. Therefore, for the reasons discussed in the Regulatory Evaluation section above, the Coast Guard certifies under 5 U.S.C. 605(b) of the Regulatory Flexibility Act that this rule, if adopted, will not have a significant impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this rule will have a significant impact on your business or organizations, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and

to what degree this rule will economically affect it.

Collection of Information

This proposed rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

Federalism

The Coast Guard has analyzed this proposed rule in accordance with the principles and criteria contained in Executive Order 12612, and has determined that this rule does not have sufficient federalism implications for federalism to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under Figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations does not have a significant effect on the environment. No written "Categorical Exclusion Determination" is required for this proposed rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend part 117 of title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Revise § 117.897(a)(1) introductory text to read as follows:

§ 117.897 Willamette River.

(a) * * *

(1) The draws shall open on signal except that from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. Monday through Friday the draws of the Broadway, Steel (upper deck only), Burnside, Morrison, and Hawthorne Bridges need not open for the passage of vessels. These closed periods are not effective on New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, or Christmas Day or other holidays observed locally under State law. At least one hour's notice shall be given for openings of the Burnside Bridge and the

Morrison Bridge, Monday through Friday, from 8 a.m. to 4:30 p.m. At all other times at least two hours' notice shall be given. Notice shall be given by marine radio, telephone, or other means to the drawtender at the Broadway Bridge for vessels bound upstream and to the drawtender at the Hawthorne Bridge for vessels bound downstream. During Rose Festival Week or when the water elevation reaches and remains above +12 feet, the draws will open on signal without advance notice, except during the normal closed periods identified in this paragraph (a)(1). Opening signals are as follows:

* * * * *

Dated: May 6, 1999.

Paul M. Blayney,

*Rear Admiral, U.S. Coast Guard Commander,
13th Coast Guard District.*

[FR Doc. 99-12957 Filed 5-24-99; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-99-010]

RIN 2115-AE47

Drawbridge Operation Regulations; Shrewsbury River, NJ

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating rules governing the Rt-36 Bridge, at mile 1.8, across the Shrewsbury River at Highlands, New Jersey. This change is necessary to help alleviate vehicular traffic congestion caused by frequent bridge openings. This proposed rule is expected to help relieve the traffic congestion and still provide for the reasonable needs of navigation.

DATES: Comments must reach the Coast Guard on or before July 26, 1999.

ADDRESSES: You may mail comments to Commander (obr), First Coast Guard District, 408 Atlantic Avenue, Boston, MA 02110-3350, or deliver them at the same address between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364. The First Coast Guard District Bridge Branch maintains the public docket for this rulemaking. Comments and documents as indicated in this preamble will become part of this docket and will be available for inspection or copying at the above address 7 a.m. to 3 p.m. Monday through Friday, except Federal holidays.