

**FURTHER INFORMATION CONTACT** section above.

#### *E. 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 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### *F. Environment*

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a special local regulation lasting ten hours that will prohibit entry into a designated area. It is categorically excluded from further review under paragraph L[61] of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

#### *G. Protest Activities*

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### **List of Subjects in 33 CFR Part 100**

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

#### **PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS**

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

■ 2. Add § 100.T09–0261 to read as follows:

#### **§ 100.T09–0261 Special Local Regulation; Wy-Hi Rowing Regatta, Detroit River, Trenton Channel, Wyandotte, MI.**

(a) *Regulated areas.* The following regulated area is established as a special local regulation: All waters of the Detroit River, Trenton Channel between the following two lines going from bank-to-bank: The first line is drawn directly across the channel from position 42°11.0' N, 083°09.4' W (NAD 83); the second line, to the north, is drawn directly across the channel from position 42°11.7' N, 083°08.9' W (NAD 83).

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port (COTP) Detroit in the enforcement of the regulated areas.

(c) *Regulations.* (1) Vessels transiting through the regulated area are to maintain the minimum speeds for safe navigation.

(2) Vessel operators desiring to enter, transit through, anchoring in, remaining in, or operate within the regulated area must contact the COTP Detroit or his designated representative to obtain permission to do so. The COTP Detroit or his designated representative may be contacted via VHF Channel 16 or at 313–568–9560. Vessel operators given permission to operate within the regulated area must comply with all directions given to them by the COTP or his on-scene representative.

(d) *Enforcement date.* The regulated area described in paragraph (a) of this section will be enforced from 7:30 a.m. until 5:30 p.m. on May 5, 2018.

Dated: April 2, 2018.

**Jeffrey W. Novak,**

*Captain, U.S. Coast Guard, Captain of the Port Detroit.*

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**BILLING CODE 9110–04–P**

#### **DEPARTMENT OF HOMELAND SECURITY**

#### **Coast Guard**

#### **33 CFR Part 117**

[Docket No. USCG–2018–0226]

#### **Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Route 1 & 9 (Lincoln Highway) Bridge across the Hackensack River, mile 1.8, at Jersey City, New Jersey. The deviation is necessary to limit and control bridge openings during the reconstruction and rehabilitation of the Pulaski Skyway Bridge.

**DATES:** This deviation is effective without actual notice from April 9, 2018 through 11:59 p.m. on July 31, 2018. For the purposes of enforcement, actual notice will be used from 12:01 a.m. on April 2, 2018, until April 9, 2018.

**ADDRESSES:** The docket for this deviation, USCG–2018–0226, is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH”. Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Judy K. Leung-Yee, Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 212–514–4336, email [Judy.K.Leung-Yee@uscg.mil](mailto:Judy.K.Leung-Yee@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The owner of the bridge, the New Jersey Department of Transportation, requested a temporary deviation in order to complete the reconstruction and rehabilitation of the adjacent Pulaski Skyway Bridge. The Route 1 & 9 Bridge across the Hackensack River, mile 1.8, at Jersey City, New Jersey is a vertical lift bridge with a vertical clearance of 35 feet at mean high water and 40 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.5.

This temporary deviation will allow the Route 1 & 9 Bridge to open on signal from April 2, 2018 to July 31, 2018, except that the draw will not open to vessel traffic, Monday through Friday, between 6 a.m. and 9:30 a.m. and between 2:30 p.m. and 6 p.m., except holidays. On Federal holidays, the Route 1 & 9 Bridge will open on signal. Tide dependent deep draft vessels may request bridge openings during the rush hour closure periods, provided that at least a six hour advance notice is given by calling the number posted at the bridge.

The waterway is transited by recreational vessels and commercial vessels. Coordination with waterway users has indicated no objections to the proposed closure of the draw. Vessels able to pass through the bridge in the closed position may do so at any time. There is no alternate route for vessels to pass, but the bridge will be able to open

for emergencies. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so vessel operators may arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: April 2, 2018.

**Christopher J. Bisignano,**  
*Supervisory Bridge Management Specialist,*  
*First Coast Guard District.*

[FR Doc. 2018-07215 Filed 4-6-18; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 4

RIN 2900-AP13

#### Schedule for Rating Disabilities; Gynecological Conditions and Disorders of the Breast

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Department of Veterans Affairs (VA) Schedule for Rating Disabilities (VASRD) by revising the portion of the rating schedule that addresses gynecological conditions and disorders of the breast. The effect of this action is to ensure that this portion of the rating schedule uses current medical terminology and to provide detailed and updated criteria for evaluation of gynecological conditions and disorders of the breast.

**DATES:** *Effective Date:* This rule is effective on May 13, 2018.

**FOR FURTHER INFORMATION CONTACT:** Ioulia Vvedenskaya, M.D., M.B.A., Medical Officer, Part 4 VASRD Regulations Staff (211C), Compensation Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461-9700. (This is not a toll-free telephone number.)

**SUPPLEMENTARY INFORMATION:** VA published a proposed rule in the **Federal Register** at 80 FR 10637 on February 27, 2015, to amend 38 CFR 4.116, the portion of the VASRD dealing with gynecological conditions and

disorders of the breast. VA provided a 60-day public comment period and interested persons were invited to submit written comments on or before April 28, 2015. VA received 13 comments.

Several commenters expressed their support for the proposed rule and thanked VA for promoting gender equality in the rating schedule.

One commenter demanded compensation for his multiple debilitating health issues, which he attributed to exposure to toxic substances at Fort McClellan. He also urged VA to pass the Fort McClellan Health Registry Act, H.R. 411, 113th Cong. (2013). Several commenters stated their belief that their multiple medical conditions are due to exposure to toxic substances at Fort McClellan and asked to be considered for service connection. Another commenter provided information about his medical conditions, which he stated he developed after his reservist's training at Fort McClellan that involved chemical agent training. These comments focus on issues of service connection, rather than the appropriate rating for already service-connected disabilities, and individual claims for VA benefits, which are beyond the scope of this rulemaking. Regarding the commenter's request that VA "pass" the Fort McClellan Health Registry Act, VA notes that this act is a Congressional act and not before VA. This comment is also beyond the scope of this rulemaking. Therefore, VA makes no changes to the proposed rule based on these comments.

One commenter had a question about the proposed note to diagnostic code 7615 "Ovary, disease, injury, or adhesions of" asking if the note would create a narrow category for disability evaluation by identifying dysmenorrhea and secondary amenorrhea. The commenter's concern is not entirely clear. To the extent the commenter is asking whether VA considers dysmenorrhea and secondary amenorrhea disabilities for rating purposes, the note to diagnostic code 7615 provides that dysmenorrhea and secondary amenorrhea shall be rated under that diagnostic code. To the extent the commenter is asking whether identification of dysmenorrhea and secondary amenorrhea in the note limits the application of diagnostic code 7615 to those diseases, it does not. Dysmenorrhea and secondary amenorrhea are only examples of diseases that would be rated under diagnostic code 7615. Other impairments associated with disease, injury, or adhesions of the ovaries will

continue to be rated under diagnostic code 7615. Therefore, VA makes no changes based on this comment.

One commenter wanted to include premature hysterectomy secondary to menorrhagia as an additional gynecological disability in the rating schedule. VA evaluates service-connected hysterectomy under diagnostic codes 7617 and 7618. The cause of the hysterectomy may be a factor in determining service connection, but is not important in evaluating the condition. Therefore, VA makes no changes based on this comment.

One commenter suggested adding a new diagnostic code or adjusting an existing code for infertility due to the loss or loss of use of other organs besides the uterus and ovaries, specifically fallopian tubes. The commenter asserted that, with respect to the uterus and ovaries, the minimum rating for a condition that causes infertility is 20 percent and that this rating does not take into account symptoms, only whether the organs are able to function reproductively. Therefore, the commenter asserts that any damage to any part of the female reproductive system that causes infertility should result in at least a 20 percent evaluation.

While tubal damage may be associated with infertility, infertility is not in itself a disability for VA rating purposes. It does not result in the loss of average earning capacity. See 38 CFR 4.1 (stating that the purpose of the rating schedule is to represent the average impairment in earning capacity resulting from diseases and injuries in civil occupations). Diagnostic code 7614, Fallopian tube, disease, injury, or adhesions of, provides disability ratings for functional impairment due to symptoms associated with fallopian tube damage. If loss or loss of use of a creative organ due to service-connected fallopian tube damage is present, VA will consider special monthly compensation under the provisions of 38 CFR 3.350(a). VA makes no changes based on this comment.

The same commenter proposes to add the diagnosis of repeated miscarriages to the list of presumptive conditions for female veterans who have been exposed to radiation, herbicides, or other environmental factors that could negatively impact the ability of a fetus to properly develop and carry to full term. The commenter also suggested VA provide for an award of special monthly compensation under the provisions of § 3.350(a) for repeated miscarriages of an unknown etiology while on active duty. Miscarriages themselves are not