

without unreasonably impacting navigation.

DATES: This deviation is effective from April 14, 1997 through June 14, 1997.

ADDRESSES: Comments may be mailed to Commander (oan), Seventh Coast Guard District, 909 SE 1st Avenue, Miami, Florida 33131-3050. The telephone number is (305) 536-6546. The comments and other materials referenced in this notice will be available for inspection and copying at the above address. Normal office hours are between 7:30 am and 4:00 p.m., Monday through Friday, except Federal holidays. Comments may also be hand-delivered to Room 406 at the above address.

FOR FURTHER INFORMATION CONTACT: Miss Evelyn Smart, Project Manager, Seventh Coast Guard District (oan), (305) 536-6546.

Background and Purpose

The Royal Park (SR 704) Drawbridge over the Atlantic Intracoastal Waterway at Palm Beach has a vertical clearance of 14.6 feet (4.45m) above Mean High Water (MHW) and 17 feet (5.18m) above Mean Low Water (MLW) in the closed position. On 14 March 1997, the Archer-Western Contractors, Ltd, representing the Florida Department of Transportation, requested a deviation from the current operating schedule in 33 CFR 117.261 paragraphs (a) and (v) governing the Royal Park Drawbridge across the Atlantic Intracoastal Waterway. The deviation was requested to facilitate structural repairs and painting operations on the existing deteriorated structure.

The District Commander granted the Florida Department of Transportation, a temporary deviation from the operating requirements listed in 33 CFR 117.261 paragraph (a) and (v) governing the Royal Park Drawbridge over the Atlantic Intracoastal Waterway. This deviation from normal operating regulations is authorized in accordance with the provisions of 33 CFR 117.43 for the purpose of expediting bridge repairs and painting of the bridge structure. Under this deviation, the Royal Park Drawbridge, operated by the Florida Department of Transportation, shall open only one leaf of the draw, on signal, to pass navigation and shall open both leafs of the draw when four hours advance notice is given to the bridgetender. From April 14, 1997 to May 31, 1997, Monday through Friday except Federal holidays, from 8 a.m. to 9:30 a.m. and from 3:30 p.m. to 5:45 p.m., the draw need open only at 8:45 a.m., 4:15 p.m., and 5 p.m. From 9:30 a.m. to 3:30 p.m., the draw need open

only on the quarter-hour and three-quarter hour. Public vessels of the United States and tugs with tows are not exempted from this deviation. Vessels in a situation where a delay would endanger life or property shall be passed through the draw as soon as a double leaf opening can be safely accomplished. From June 1, 1997 to June 14, 1997, the draw shall open on signal. This deviation is effective for a period of 60 days beginning on April 14, 1997 and ending on June 14, 1997.

Dated: May 7, 1997.

J.W. Lockwood,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

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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 temporary deviation from regulations; request for comments.

SUMMARY: Commander, Ninth Coast Guard District has authorized a temporary 90-day deviation from the current bridge operating regulations for 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. The temporary deviation was issued at the request of the City of Manistee, MI, to test a proposed change to the times that both bridges are required to open on signal. The deviation changes the current hours of 6 a.m. to 10 p.m. to 7 a.m. to 11 p.m.

DATES: The effective date of this temporary deviation is May 31, 1997 and it will expire on August 31, 1997. Comments must be received 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:

Requests for Comments

The Coast Guard encourages interested persons to submit comments on the operating schedule during the temporary deviation. Persons submitting comments should include their name, address, identify this notice (CGD09-97-014), and the reason(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 marine owners and operators on Manistee Lake requested the hours which the bridges are required to open on signal be revised to allow longer evening sailing times for the vessels using the marinas above the bridges.

The Coast Guard has proposed a revision to the operating schedule, published elsewhere in today's **Federal Register**.

Commander, Ninth Coast Guard District, has approved a temporary deviation from the regulations for the bridges to test the proposed schedule before making a permanent change to the regulations. This temporary deviation will allow the revised bridge schedule to be tested for a 90-day period while still soliciting comments from the public on the proposed permanent change. The Coast Guard will evaluate the effectiveness of the revised schedule at the end of the test period to determine whether to permanently change the regulations.

During the deviation period, the bridges will only be required to open on signal between 7 a.m. and 11 p.m. Between 11 p.m. and 7 a.m., the bridges will open if at least a 2-hour advance

notice is provided by vessels intending to transit the draws.

Dated: May 7, 1997.

G.F. Woolever,

*Rear Admiral, U.S. Coast Guard Commander,
Ninth Coast Guard District.*

[FR Doc. 97-13509 Filed 5-21-97; 8:45 am]

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DEPARTMENT OF DEFENSE

DEPARTMENT OF TRANSPORTATION

Coast Guard

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-A154

Reservists' Education: Increase in Rates Payable Under the Montgomery GI Bill—Selected Reserve

AGENCIES: Department of Defense; Coast Guard, DOT; and Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: By statute, the monthly rates of basic educational assistance payable to reservists under the Montgomery GI Bill—Selected Reserve must be adjusted each fiscal year. In accordance with the statutory formula, the regulations governing rates of basic educational assistance payable under the Montgomery GI Bill—Selected Reserve for fiscal year 1997 (October 1, 1996, through September 30, 1997) are changed to show a 2.7% increase in these rates. Furthermore, the Veterans' Benefits Improvements Act of 1996 provides that the lower rate of educational assistance payable to reservists pursuing cooperative training was abolished effective October 9, 1996. They will be paid at the same rate as those reservists pursuing residence training. The regulations are changed to conform to statutory requirements.

DATES: This final rule is effective May 22, 1997. However, the changes in rates are applied retroactively to conform to statutory requirements. For more information concerning the dates of application, see the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Policy and Program Administration, Education Service, Veterans Benefits Administration, Department of Veterans Affairs, (202) 273-7187.

SUPPLEMENTARY INFORMATION: Under the formula mandated by 10 U.S.C. 16131(b)

for fiscal year 1997, the rates of basic educational assistance under the Montgomery GI Bill—Selected Reserve payable to students pursuing a program of education full time, three-quarter time, and half time must be increased by 2.7%, which is the percentage by which the total of the monthly Consumer Price Index-W for July 1, 1995, through June 30, 1996, exceeds the total of the monthly Consumer Price Index-W for July 1, 1994, through June 30, 1995.

10 U.S.C. 16131(b) requires that full-time, three-quarter time, and half-time rates be increased as noted above. In addition, 10 U.S.C. 16131(d) requires that monthly rates payable to reservists in apprenticeship or other on-job training must be set at a given percentage of the full-time rate. Hence, there is a 2.7% raise for such training as well.

10 U.S.C. 16131(b) also requires that the Department of Veterans Affairs (VA) pay reservists training less than half time at an appropriately reduced rate. Since payment for less than half-time training became available under the Montgomery GI Bill—Selected Reserve in fiscal year 1990, VA has paid less than half-time students at 25% of the full-time rate. Changes are made consistent with the authority and formula described in this paragraph.

Before the enactment on October 9, 1996, of the Veterans' Benefits Improvements Act of 1996 (Public Law 104-275), the rate of educational assistance payable to a reservist pursuing a cooperative course was set by statute at 80% of the rate payable to a reservist in residence training. This statutory provision was reflected in the regulations. The Veterans' Benefits Improvements Act of 1996 eliminated this different rate of payment so that reservists in cooperative training receive the same monthly rate as reservists in residence training. 38 CFR 21.7636 is changed accordingly.

Nonsubstantive changes also are made for the purpose of clarity.

The changes set forth in this final rule are effective from the date of publication, but the changes in rates are applied retroactively from October 1, 1996, or October 9, 1996, as respectively set out in the regulations, in accordance with the applicable statutory provisions discussed above.

Substantive changes made by this final rule merely reflect statutory requirements and adjustments made based on previously established formulas. Accordingly, there is a basis for dispensing with prior notice and comment and delayed effective date provisions of 5 U.S.C. 552 and 553.

The Secretary of Defense, the Commandant of the Coast Guard, and the Secretary of Veterans Affairs hereby certify that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This final rule directly affects only individuals and does not directly affect small entities. Pursuant to 5 U.S.C. 605(b), this final rule, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

There is no Catalog of Federal Domestic Assistance number for the program affected by this final rule.

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Defense Department, Education, Employment, Grant programs—education, Grant programs—veterans, Health programs, Loan programs—education, Loan programs—veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: January 24, 1997.

Jesse Brown,

Secretary of Veterans Affairs.

Approved: February 24, 1997.

Al H. Bemis,

Deputy Assistant Secretary for Defense for Reserve Affairs (M&P).

Approved: April 24, 1997.

W.C. Donnell, RADM, USCG,

Assistant Commandant for Human Resources, U.S. Coast Guard.

For the reasons set out above, 38 CFR part 21, subpart L, is amended as set forth below.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart L—Educational Assistance for Members of the Selected Reserve

1. The authority citation for part 21, subpart L, is revised to read as follows:

Authority: 10 U.S.C. ch. 1606; 38 U.S.C. 501(a), ch. 36, unless otherwise noted.

2. In 21.7636, paragraphs (a)(1), (a)(2) introductory text, (a)(2)(i), and (a)(3) are revised and the authority citation for paragraph (a) is republished to read as follows: