

Executive Order 12372
(Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

National Environmental Policy Act

The agency has analyzed this action for the purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 772

Highways and roads, Noise control.

PART 772—PROCEDURES FOR ABATEMENT OF HIGHWAY TRAFFIC NOISE AND CONSTRUCTION NOISE

In consideration of the foregoing and under the authority of 23 U.S.C. 109(h), 42 U.S.C. 4331, sec. 339(b) of Pub. L. 104-59, 109 Stat. 568, 605, and 49 CFR 1.48(b), the interim final rule amending 23 CFR Part 772 which was published at 61 FR 45319 on August 29, 1996, is adopted as a final rule without change.

Issued on: August 1, 1997.

Jane F. Garvey,
Acting Administrator.
[FR Doc. 97-21122 Filed 8-8-97; 8:45 am]
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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD 6010.8-R]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Program for Persons With Disabilities; Basic Program

AGENCY: Department of Defense.

ACTION: Final rule; administrative corrections.

SUMMARY: The Department of Defense published a final rule concerning the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) on June 30, 1997 (62 FR 35086). There were incorrect amendments published to the Program for Persons with Disabilities section of the CHAMPUS rule. This document corrects the administrative error.

EFFECTIVE DATES: October 28, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. M. Kottyan, telephone 303-361-1120.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 199

Administrative practice and procedures, Claims, Fraud, Health care, Health insurance, Individuals with disabilities, Military personnel.

Accordingly, 32 CFR part 199 is amended to read as follows:

PART 199—[AMENDED]

1. The authority citation for 32 CFR part 199 continues to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. chapter 55.

2. Section 199.5 is amended by revising paragraph (b)(1)(iii) and paragraphs (e)(2) through (e)(4) to read as follows:

§ 199.5 Program for Persons with Disabilities (PFPWD).

* * * * *

(b) * * *

(1) * * *

(iii) *Deceased sponsor.* A CHAMPUS beneficiary remains eligible for benefits under the PFPWD:

(A) For a period of one calendar year from the date an active duty sponsor dies; or

(B) Through midnight of the beneficiary's twenty-first birthday when the beneficiary is receiving PFPWD benefits at the time the active duty sponsor dies and the sponsor was eligible, at the time of death, for receipt of hostile-fire pay or died as a result of

a disease or injury incurred while eligible for such pay.

* * * * *

(e) * * *

(2)(i) *Sponsor cost-share liability.* Regardless of the number of PFPWD eligible family members, the sponsor's cost share for allowed PFPWD benefits in a given month is according to the following table:

Member's pay grade	Monthly share
E-1 through E-5	\$25
E-6	30
E-7 and O-1	35
E-8 and O-2	40
E-9, W-1, W-2, and O-3	45
W-3, W-4, and O-4	50
W-5 and O-5	65
O-6	75
O-7	100
O-8	150
O-9	200
O-10	250

(ii) The sponsor's cost-share will be applied, up to the amount given in the table in paragraph (e)(2)(i), to the first allowed charges in any given month. The government's share will be paid, up to the maximum amount(s) specified in paragraphs (e)(3) and (e)(4) of this section for allowed charges after the sponsor's cost-share has been applied.

(3) *Government cost-share liability: member who sponsors one PFPWD beneficiary.* The total government share of the cost of all PFPWD benefits provided in a given month to a beneficiary who is the sponsor's only PFPWD eligible family member may not exceed \$1,000 after application of the allowable payment methodology. Any amount remaining after the Government's maximum share has been reached is the responsibility of the active duty sponsor.

(4) *Government cost-share liability: member who sponsors more than one PFPWD beneficiary.* The total government share of the cost of all PFPWD allowable benefits provided in a given month to a beneficiary who is one of two or more PFPWD eligible family members of the same sponsor shall be determined as follows:

(i) *Maximum benefit limit determination for the first PFPWD eligible beneficiary.* The \$1,000 maximum monthly government PFPWD benefit amount shall apply only to the beneficiary incurring the least amount of allowable PFPWD expense in a given month, after application of the allowable payment methodology. If two or more PFPWD eligible beneficiaries have the same amount of allowable PFPWD expenses in a given month, the

\$1,000 maximum benefit in that month shall apply to only one PFPWD eligible beneficiary.

(ii) *Maximum benefit limit determination for the remaining PFPWD eligible beneficiaries.* After application of the Government's cost-share specified in paragraph (e)(4)(i) of this section, the government shall cost-share the entire remaining amount for all allowable services and items received in that month by the remaining PFPWD eligible beneficiaries.

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Dated: August 5, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 97-21088 Filed 8-8-97; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD 6010.8-R]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Extension of the Active Duty Dependents Dental Plan to Overseas Areas; Correction

AGENCY: Department of Defense.

ACTION: Final rule; administrative corrections.

SUMMARY: The Department of Defense published a final rule concerning the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) on July 25, 1997 (62 FR 39940). This document corrects the administrative error for clarity.

EFFECTIVE DATE: August 25, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. G. Zimmerman, telephone 703-695-3331

Accordingly, the **SUMMARY** and **SUPPLEMENTARY INFORMATION** for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Extension of the Active Duty Dependents Dental Plan to Overseas Areas interim final rule is amended as follows:

1. The **SUMMARY** is amended, last sentence, by revising "active sponsors while overseas" to read "active duty sponsors overseas."

2. The **SUPPLEMENTARY INFORMATION** section, second column, third paragraph, third sentence is amended by revising "beneficiaries will be requested" to read "beneficiaries will be required".

Dated: August 5, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 97-21087 Filed 8-8-97; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 247

[RIN 0790-AG37]

Department of Defense Newspapers, Magazines and Civilian Enterprise Publications

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Final rule.

SUMMARY: This rule revises and provides DoD policy and updates procedures to meet changed circumstances for publishing DoD internal command information newspapers, magazines and civilian enterprise publications. It has minimal impact on some civilian printers who are contracted to print the publications.

EFFECTIVE DATE: June 16, 1997.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel Wayne White, USA, (703) 428-0629.

SUPPLEMENTARY INFORMATION: On February 3, 1997, (62 FR 4947) DoD published a proposed rule with public comment period. No comments were received.

Executive Order 12866, "Regulatory Planning and Review"

It has been determined that 32 CFR part 247 is not a significant regulatory action. The rule does not:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy; a sector of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities;
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or
- (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. 601)

It has been certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities.

Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 44)

It has been certified that 32 CFR part 247 does not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

List of Subjects in 32 CFR Part 247

Defense communications, Government publications, Newspapers and magazines.

Accordingly, 32 CFR part 247 is revised to read as follows:

PART 247—DEPARTMENT OF DEFENSE NEWSPAPERS, MAGAZINES AND CIVILIAN ENTERPRISE PUBLICATIONS

Sec.

247.1 Purpose.

247.2 Applicability.

247.3 Definitions.

247.4 Policy.

247.5 Responsibilities.

247.6 Procedures.

247.7 Information requirements.

Appendix A to part 247-Funded Newspapers and Magazines

Appendix B to part 247-CE Publications

Appendix C to part 247-Mailing of DoD Newspapers, Magazines, CE Guides, and Installation Maps; Sales and Distribution of Non-DoD Publications

Appendix D to part 247-AFIS Print Media Directorate

Appendix E to part 247-DoD Command Newspaper and Magazine Review System

Authority: 10 U.S.C. 121 and 133.

§ 247.1 Purpose.

This part implements DoD Directive 5122.10¹ and implements policy, assigns responsibilities, and prescribes procedures concerning authorized DoD Appropriated Funded (APF) newspapers and magazines, and Civilian Enterprise (CE) newspapers, magazines, guides, and installation maps in support of the DoD Internal Information Program.

§ 247.2. Applicability.

This part:

(a) Applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint

¹ Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22121.