

Dated: September 26, 1997.

Loren L. Dohm,

Acting Director, Office of Foreign Assets Control.

Approved: September 30, 1997.

James E. Johnson,

Assistant Secretary (Enforcement).

[FR Doc. 97-26787 Filed 10-6-97; 2:22 pm]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-97-074]

RIN 2115-AE46

Special Local Regulations for Marine Events; Thunder on the Lake Powerboat Races, Sunset Lake, Wildwood Crest, NJ

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for the Thunder on the Lake Powerboat Races to be held in Sunset Lake, Wildwood Crest, New Jersey. These special local regulations are necessary to control vessel traffic in the immediate vicinity of this event. The effect will be to restrict general navigation in the regulated area for the safety of the event participants and transiting vessels.

EFFECTIVE DATE: This regulation is effective from 9:30 a.m. to 6:30 p.m. on October 11 and 12, 1997.

FOR FURTHER INFORMATION CONTACT: Chief Petty Officer Tom Peck, Marine Events Coordinator, Commander, Coast Guard Group Cape May, Cape May, NJ 08204-5082. Telephone number (609) 898-6981.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impractical. The request to hold the event was not received until September 5, 1997. Publishing a notice of proposed rulemaking and delaying its effective date would be contrary to safety interests, since immediate action is needed to minimize potential danger to the public posed by the large number of racing vessels participating in this event.

Discussion of Regulations

On October 11 and 12, 1997, the New Jersey Hot Rod Association will sponsor the Thunder on the Lake Powerboat Races on Sunset Lake, Wildwood Crest, New Jersey. The event will consist of Hydroplanes, Jersey Speed Skiffs and Pro-Stock boats racing at high speeds along a one mile oval course. These regulations are necessary to provide for the safety of life and property on navigable waters during the event.

Regulatory Evaluation

This rule is not a significant regulatory action under section 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 been exempted from review 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory procedures of DOT is unnecessary. Entry into the regulated area will only be prohibited while the race boats are actually competing. Since vessels will be allowed to transit the event area between races, the impacts on routine navigation are expected to be minimal.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). The Coast Guard expects the economic impact of this temporary rule to be minimal, and certifies under Section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary final rule will not have a significant economic impact on a substantial number of small entities, because the regulations will only be in effect for a short duration in a limited area.

Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.b.2.e(34)(h) of Commandant Instruction M16475.1b (as amended, 61 FR 13564; March 27, 1996), this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

Temporary Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations is amended as follows:

PART 100—[AMENDED]

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

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary § 100.35T-05-074 is added to read as follows:

§ 100.35T-05-074 Sunset Lake, Wildwood Crest, NJ.

(a) *Definitions:*

(1) *Regulated area:* The waters of Sunset Lake, including the waters of the Intracoastal Waterway between NJICW Daybeacon 469 (LLNR 36690) located at latitude 38°59'07" North, longitude 074°50'41" West, and NJICW Light 471 (LLNR 36700) located at latitude 38°58'41" North, longitude 074°51'01" West. All coordinates reference Datum: NAD 1983.

(2) *Coast Guard Patrol Commander:* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Cape May.

(b) *Special Local Regulations:*

(1) The regulated area will be intermittently closed to all vessel traffic during the effective period. No person or vessel shall enter or remain in the regulated area while it is closed unless authorized by the Coast Guard Patrol Commander.

(2) The Patrol Commander will allow vessel traffic to transit the event area between races. Transiting vessels shall proceed at no-wake speeds and remain

clear of the race course area as marked by the sponsor provided buoys.

(3) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard ensign.

(c) *Effective dates:* This regulation is effective from 9:30 a.m. to 6:30 p.m. on October 11 and 12, 1997.

Dated: September 23, 1997.

J. Carmichael,

*Acting Captain, U.S. Coast Guard,
Commander, Fifth Coast Guard District.*

[FR Doc. 97-26696 Filed 10-7-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD8-97-037]

RIN 2115-AE47

Drawbridge Operation Regulation; Red River, LA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule removes the regulation for the S 8 bridge across the Red River, mile 105.0 at Boyce, Rapides Parish, Louisiana. The swing span was removed and the regulation governing its operation is no longer necessary.

DATES: This regulation becomes effective on October 8, 1997.

FOR FURTHER INFORMATION CONTACT:

Mr. David M. Frank, Bridge Administration Branch. (504) 589-2965.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice for proposed rulemaking for this regulation has not been published, and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would be unnecessary. The draw to which this rule applies was removed in 1985 and replaced by a fixed span bridge.

The S 8 bridge across the Red River, mile 105.0, at Boyce, Louisiana, was removed and replaced in 1985 by a fixed span bridge. The elimination of this drawbridge necessitates the removal of the drawbridge operation regulation that pertained to this draw. This rule removes the regulation for this bridge in § 117.491.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost 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) FR 11040; February 26, 1979).

The Coast Guard expects no economic impact from this rule and a full Regulatory Evaluation is unnecessary. This rule will have no economic impact because it removes a regulation that applies to a bridge that no longer exists.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this rule, if adopted, will have a significant economic impact on a substantial number of small entities. Small entities may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

This rule will have no impact on either vehicular or navigational traffic because the regulation being removed applies to a bridge that has been removed. Because it will have no impact, the Coast Guard certifies under 5 U.S.C. 605(b) that it will not have any economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The authority to issue permits for the construction, reconstruction, or alteration of bridges across navigable waters of the United States belongs to the Coast Guard by Federal statutes.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.B.2.(g)(5) of Commandant Instruction M16475 1B, this rule is categorically excluded from further environmental documentation. A "Categorical

Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is amended 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.

§ 117.491 [Amended]

2. In section 117.491, paragraph (a)(3) is removed.

Dated: September 18, 1997.

T.W. Josiah,

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

[FR Doc. 97-26698 Filed 10-7-97; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 19

RIN 2900-AI50

Appeals Regulations: Remand for Further Development

AGENCY: Department of Veterans Affairs.
ACTION: Final rule.

SUMMARY: This document adopts as a final rule amendments to the appeals regulations of the Board of Veterans' Appeals (Board) of the Department of Veterans Affairs (VA). The amendments change the circumstances in which the Board must remand a case to the VA field facility with original jurisdiction in the case. The changes help avoid unnecessary remands.

EFFECTIVE DATE: October 8, 1997.

FOR FURTHER INFORMATION CONTACT:

Steven L. Keller, Chief Counsel, Board of Veterans' Appeals, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202-565-5978).

SUPPLEMENTARY INFORMATION: On July 3, 1997, VA published in the **Federal Register** (62 FR 36038) a proposed rule which would require the Board to remand a case to the agency of original jurisdiction ("AOJ") (usually one of VA's 58 regional offices) when