

to State Victims of Crime Compensation Programs.

This interim final rule is being published and no previous public comment period has been requested. The change is mandated through public law signed into effect on September 13, 1994, and we do not believe it is in the public interest to delay the implementation through the publication of a proposed rule. However, for a period of 60 days following the date of publication of this interim final rule in the **Federal Register**, we will accept public comments and, when appropriate, will revise the amendment. A notice advising of any revision prompted by public comments will be published in the **Federal Register** not later than 90 days following the end of the comment period. Benefits will be granted retroactively, effective September 13, 1994 for State Victims of Crime Compensation Programs and voice prostheses.

The National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337), section 705, October 5, 1994, added voice prostheses to the benefits available under CHAMPUS. Benefits will be granted retroactively, effective October 5, 1994.

Because this change is also mandated through public law, we do not believe it is in the public interest to delay the implementation through the publication of a proposed rule. A comment period of 60 days following the date of publication of this amendment in the **Federal Register** is provided.

Effective September 13, 1994, CHAMPUS is considered primary payer to state victims of crime compensation programs. The effective date for the new CHAMPUS benefit of voice prosthesis is October 5, 1994.

Regulatory Procedures

The Regulatory Flexibility Act (RFA) requires that each federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities.

This interim final rule is not a significant regulatory action under Executive Order 12866. The changes set forth in this interim final rule are minor revisions to the existing regulation. Since this interim final rule does not impose information collection requirements, it does not need to be reviewed by the Executive Office of Management and Budget under authority of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-511).

List of Subjects in 32 CFR Part 199

Claims, Handicapped, Health insurance, Military personnel.

PART 199—[AMENDED]

Accordingly, 32 CFR part 199 is amended as follows:

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

Authority: 5 U.S.C. 301; and 10 U.S.C. Chapter 55.

2. Section 199.2(b) is amended by adding a definition "State Victims of Crime Compensation Programs" in alphabetical order to read as follows:

§ 199.2 Definitions.

* * * * *

(b) * * *

State Victims of Crime Compensation Programs. Benefits available to victims of crime under the Violent Crime Control and Law Enforcement Act.

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3. Section 199.4 is amended by revising paragraph (g)(48) to read as follows:

§ 199.4 Basic program benefits.

* * * * *

(g) * * *

(48) *Prosthetic devices.* Prostheses, except artificial limbs, voice prostheses and eyes, or if an item is inserted surgically in the body as an integral part of a surgical procedure. All dental prostheses are excluded, except for those specifically required in connection with otherwise covered orthodontia directly related to the surgical correction of a cleft palate anomaly.

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4. Section 199.8 is amended by revising paragraphs (b)(3)(iii), (b)(3)(iv) and by adding paragraph (b)(3)(v) as follows:

§ 199.8 Double coverage.

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(b) * * *

(3) * * *

(iii) Entitlement to receive care from Uniformed Services medical care facilities;

(iv) Certain Federal Government programs, as prescribed by the Director, OCHAMPUS, that are designed to provide benefits to a distinct beneficiary population and for which entitlement does not derive from either premium payment of monetary contribution (for example, the Indian Health Service); or

(v) State Victims of Crime Compensation Programs.

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Dated: October 10, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-97-018]

RIN 2115-AE47

Drawbridge Operation Regulations; Bronx River, NY

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations governing the Bruckner Boulevard Bridge, over the Bronx River in the Bronx, New York. In addition, the location of the bridge in this section will be more clearly identified and redundant language regarding openings for public vessels and vessels in distress is removed. The owner of the bridge has requested that a 4 hours notice for openings be provided, except between 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m., Monday through Friday, when the bridge need not open for the passage of vessels. This change is expected to provide for the needs of navigation and relieve the bridge owner of the burden of crewing the bridge at all times.

DATES: This final rule is effective November 19, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. J. Arca, project officer, First Coast Guard District, Bridge Branch at the Battery Park Bldg., New York, New York 10004. The telephone number is (212) 668-7069.

SUPPLEMENTARY INFORMATION:

Regulatory History

On April 30, 1997, the Coast Guard published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations; Bronx River, New York" in the **Federal Register** (62 FR 23410). The Coast Guard received two comments on the notice of proposed rulemaking. No public hearing was requested, and one was not held.

Background and Purpose

The Bruckner Boulevard Bridge, at mile 1.1, over the Bronx River in the Bronx, New York, has vertical clearances of 27' above mean high water (MHW) and 34' above mean low water (MLW) in the closed position. The

existing rules at 33 CFR part 117.771(a) require the Bruckner Boulevard Bridge to open on signal, except during designated rush hour periods. On September 27, 1988, the Coast Guard approved plans for the rehabilitation of the bridge. To facilitate the work, a temporary final rule (54 FR 18281, April 28, 1989) was approved, permitting the bridge to remain closed for 36 months from April 9, 1989, through April 9, 1992. Prior to the rehabilitation of the bridge, there were three openings recorded in 1988. Since the rehabilitation was completed in 1992, there have been no requests for openings.

Discussion of Comments and Changes

Two comments were received in response to the notice of proposed rulemaking. Both offered no objection.

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 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 is unnecessary. This conclusion is based on the fact that this rule will not prevent mariners from passing through the bridge as long as they provide four hours advance notice. This rule will not prevent mariners from passing through the Bruckner Boulevard Bridge so long as they provide advance notice.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule 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 jurisdiction with populations of less than 50,000. For the reasons discussed in the Regulatory Evaluation above, the Coast Guard has determined that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final 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 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 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.(32)(e) of Commandant Instruction M16475.1B, (as revised by 60 FR 32197, June 20, 1995), this rule promulgates operating regulations for drawbridges and is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—[AMENDED]

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. Section 117.771 is revised to read as follows:

§ 117.771 Bronx River.

(a) The draw of the Bruckner Boulevard Bridge, mile 1.1, at the Bronx, New York, shall open on signal if at least 4 hours notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline, or NYCDOT Bridge Operations office, except that between 7 a.m. and 9 a.m., and 4 p.m. and 6 p.m. Monday through Friday, the bridge need not be opened for the passage of vessels.

(b) The draw of the Conrail Bridge, mile 1.6 at the Bronx, New York, need not be opened for the passage of vessels.

(c) The owners of the Bruckner Boulevard Bridge, mile 1.1, and the Conrail Bridge, mile 1.6, both at the Bronx, New York, shall provide and keep in good legible condition two clearance gauges designed, installed and maintained in accordance with the provisions of § 118.160 of this chapter.

Dated: September 29, 1997.

R.M. Larrabee,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 187

[CGD 89–050]

RIN 2115–AD35

Vessel Identification System

AGENCY: Coast Guard, DOT.

ACTION: Interim final rule; re-opening of comment period.

SUMMARY: The Coast Guard is re-opening the comment period for its interim final rule establishing a system to identify vessels numbered or titled under the laws of a State. This action is necessary to respond to questions raised by States, banking interests, and legal associations.

DATES: Comments must reach the Coast Guard on or before December 4, 1997.

ADDRESSES: You may mail comments to the Executive Secretary, Marine Safety Council (G–LRA/3406) (CGD 89–050), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001, or deliver them to room 3406 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–267–1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT James Whitehead, Marine Safety and Environmental Protection, Office of Information Resources (G–MRI), 202–267–0385.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, arguments, or data. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 89–050) and the specific section of this rule to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an