

through the bridge. Additionally, there are currently no loading or unloading facilities for commercial vessels above the bridge. The Coast Guard queried the Lake Carriers Association (LCA), representatives of Great Lakes commercial shipping companies, to determine what the impact of allowing the bridge to be maintained as a fixed structure may have on current and anticipated commercial marine traffic. The LCA indicated that their members would not be adversely impacted by the conversion of the bridge from a bascule to a fixed span. The owners pointed out that the Grand Trunk and Western railroad bridge, further upriver at mile 19.2, was converted from a movable to a fixed span in previous years and does not impact marine traffic in this area of the river. The CSX bridge has a vertical clearance of 13 feet, which is one foot higher than the Grand Trunk and Western bridge. The Coast Guard has stipulated, and the owners have agreed, to restore this bridge to an operable status within six months of notification by the Coast Guard if there is future commercial marine activity in the area. The Coast Guard concludes that the placement of this bridge in a fixed status would not impact commercial marine interests and does not anticipate any adverse comments to this Direct Final Rule.

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 under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that there has been no active commerce upriver from this bridge for many years and this situation is not expected to change in the future. Additionally, no vessel has requested that the bridge be opened since 1988. While there is some recreational marine traffic active above this bridge, the placement of a similar railroad bridge in a fixed status 1.2 miles further upriver has not caused any adverse effects for any business, recreational, or commercial vessel.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "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.

Therefore, for the reasons discussed above, the Coast Guard finds that this rule will not have a significant economic impact on a substantial number of small entities. Any comments submitted in response to this finding will be evaluated under the criteria described earlier in the preamble for comments.

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.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994), 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.

For reasons set out in the preamble, 33 CFR part 117 is revised 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(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section § 117.647 is amended by revising paragraphs (a) and (d) to read as follows:

§ 117.647 Saginaw River.

(a) The draws of the Detroit and Mackinac railroad bridge, mile 2.5 at Bay City, and the Conrail railroad bridge, mile 4.4 at Bay City, shall open on signal; except that, from December 16 through March 15, the draws shall open on signal if at least 12 hours notice is given.

* * * * *

(d) The draw of the CSX railroad bridge, mile 18.0, need not be opened for the passage of vessels. The owner shall return the draw to an operable condition within a reasonable time when directed by the District Commander to do so.

* * * * *

Dated: April 26, 1996.

G.F. Woolever,

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

[FR Doc. 96-11895 Filed 5-13-96; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900-AH99

Medical; VA Health Professional Scholarship Program, Correction

AGENCY: Department of Veterans Affairs.

ACTION: Final rule; correction.

SUMMARY: This document corrects a repayment formula for health care professionals who fail to comply with service obligation under the VA Health Professional Scholarship Program.

EFFECTIVE DATE: May 14, 1996.

FOR FURTHER INFORMATION CONTACT: Meryl Bullard, Health Education Specialist (143), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420; Telephone (202) 565-7122. (This is not a toll-free number.)

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

List of Subjects in 38 CFR Part 17

Administrative practice and procedure, Alcohol abuse, Alcoholism, Claims, Day care, Dental health, Drug abuse, Foreign relations, Government contracts, Grant programs-health, Grant programs-veterans, Health care, Health facilities, Health professions, Health records, Homeless, Medical and dental schools, Medical devices, Medical research, Mental health programs, Nursing homes, Philippines, Reporting

and recordkeeping requirements, Scholarships and fellowships, Travel and transportation expenses, Veterans.

Approved: May 7, 1996.

Thomas O. Gessel,

*Director, Office of Regulations Management,
Department of Veterans Affairs.*

Accordingly, 38 CFR part 17 is corrected by making the following correcting amendment:

PART 17—MEDICAL

1. The authority citation for Part 17 continues to read as follows:

Authority: 38 U.S.C. 501, 5705.

2. In § 17.610, the formula portion of paragraph (c) is amended by removing "A=30" and adding, in its place, "A=3Φ".

[FR Doc. 96-11971 Filed 5-13-96; 8:45 am]

BILLING CODE 8320-01-P

38 CFR Part 21

RIN 2900-AH79

Veterans Education: Increase in Rates Payable Under the Montgomery GI Bill—Active Duty, 1995–96

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: By statute, the monthly rates of basic educational assistance payable to veterans and servicemembers under the Montgomery GI Bill—Active Duty 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—Active Duty for fiscal year 1996 (October 1, 1995 through September 30, 1996) are changed to show a 2.9% increase in these rates.

EFFECTIVE DATE: October 1, 1995.

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

SUPPLEMENTARY INFORMATION: Under the formula mandated by 38 U.S.C. 3015(g) for fiscal year 1996, the rates of basic educational assistance under the Montgomery GI Bill—Active Duty payable to students pursuing a program of education full time must be increased by the percentage that the total of the monthly Consumer Price Index-W for July 1, 1994, through June 30, 1995, exceeds the total of the monthly Consumer Price Index-W for July 1, 1993, through June 30, 1994. Under this formula, the changes to the regulations

governing monthly rates reflect a 2.9% increase.

It should be noted that some veterans will receive an increase in monthly payments that will be less than 2.9%. The increase does not apply to additional amounts payable by the Secretary of Defense to individuals with skills or a specialty in which there is a critical shortage of personnel (so-called "kickers"). It does not apply to supplemental educational assistance. It also does not apply to amounts payable for dependents. Veterans who previously had eligibility under the Vietnam Era GI Bill receive monthly payments that are in part based upon basic educational assistance and in part based upon the rates payable under the Vietnam Era GI Bill. Only that portion attributable to basic educational assistance is increased by 2.9%.

Although 38 U.S.C. 3015(g) requires only that the full-time rates be increased, these revisions include increases for other training also. Monthly rates payable to veterans in apprenticeship or other on-job training or cooperative training are set by statute at a given percentage of the full-time rate. Hence, any rise in the full-time rate automatically requires an increase in the rates for these types of training.

38 U.S.C. 3015 (a) and (b) require that the Department of Veterans Affairs (VA) pay part-time students at appropriately reduced rates. Since the first student became eligible for assistance under the Montgomery GI Bill—Active Duty in 1985, VA has paid three-quarter-time students and one-half-time students at 75% and 50% of the full-time rate, respectively. Students pursuing a program of education at less than one half but more than one-quarter-time have had their payments limited to 50% or less of the full-time rate. Similarly, students pursuing a program of education at one-quarter-time or less have had their payments limited to 25% or less of the full-time rate. Changes are made consistent with the authority and formula described in this paragraph.

The changes set forth in this final rule are applied retroactively from the effective date of the statutory changes.

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 Veterans Affairs hereby certifies 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), the amended regulations, therefore, are exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance number for the program affected by this final rule is 64.124.

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, Entitlement programs—education, Entitlement programs—veterans, Health care, Loan programs—education, Loan programs—veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: May 1, 1996.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 21 (subpart K) is amended as set forth below.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart K—All Volunteer Force Educational Assistance Program (New GI Bill)

1. The authority citation for part 21, subpart K continues to read as follows:

Authority: 38 U.S.C. 501(a), chs. 30, 36, unless otherwise noted.

2. In § 21.7136, paragraph (b)(3) is amended by removing "\$323.90" and adding, in its place, "\$333.30" and by removing "1994, and before October 1, 1995" and adding, in its place, "1995, and before October 1, 1996"; paragraph (c)(3) is amended by removing "\$263.18" and adding, in its place, "\$270.81" and by removing "1994, and before October 1, 1995" and adding, in its place, "1995, and before October 1, 1996"; and paragraphs (b)(1), (b)(2), (c)(1), and (c)(2) are revised, to read as follows:

§ 21.7136 Rates of payment of basic educational assistance.

* * * * *

(b) *Rates.* (1) Except as provided in paragraphs (b)(2), (b)(3), and (d) of this section, the monthly rate of basic educational assistance payable for training that occurs after September 30,