

barges. The safety zone is in effect on July 4, 1997, from 9 p.m. until 10 p.m. and is necessary to protect the maritime community from the safety hazards associated with this fireworks display. Entry into or movement within this zone will be prohibited unless authorized by the Captain of the Port or his on scene representative.

Regulatory Evaluation

This temporary final 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. Entry into this zone will be restricted for a brief period of time on July 4, 1997. Although this regulation prevents traffic from transmitting a portion of the Atlantic Ocean, off Cove Neck, NY, the effect of this regulation will not be significant for several reasons: the duration of the event is limited; the event is at a late hour; all vessel traffic may pass to the western side of this safety zone; and extensive, advance maritime advisories will be made.

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.

For the reasons addressed under the Regulatory Evaluation above, the Coast Guard finds that this rule will not have a significant impact on a substantial number of small entities. If however, you think that your business or organization qualifies as a small entity and that this rule will have a significant impact upon your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this rule will economically affect it.

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 action 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 has considered the environmental impact of this rule and concluded that under section 2.B.2.e. 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 and an Environmental Analysis Checklist are included in the docket and are available for inspection or copying at the location indicated under ADDRESSES. An appropriate environmental analysis of the fireworks program will be conducted in conjunction with the marine event permitting process.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. A temporary section, 165.T01–048, is added to read as follows:

§ 165.T01–CGD1–048 Yampol Family Fireworks Display, Cove Neck, NY.

(a) *Location.* The safety zone includes all waters of Oyster Bay and Cold Spring Harbor within a 1200 foot radius of the fireworks barge, located directly opposite the Yampol Marina docks Cove Neck NY in Oyster Bay and Cold Spring Harbor, in Cove Neck, NY, in approximate position 40°53'17" N, 073°29'44" W. (NAD 1983).

(b) *Effective date.* This section is effective on July 4, 1997, from 9 p.m. until 10 p.m., unless terminated sooner by the Captain of the Port Long Island Sound. In case of inclement weather, this regulation will be effective on July 5, 1997, at the same times.

(c) *Regulations.* The general regulations contained in § 165.23 apply.

Dated: June 16, 1997.

P.K. Mitchell,

Captain, U.S. Coast Guard, Captain of the Port, Long Island Sound.

[FR Doc. 97–17388 Filed 7–2–97; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Parts 1, 3, and 9

RIN 2900–AI73

Servicemen's and Veterans' Group Life Insurance

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

SUMMARY: This document amends the Department of Veterans Affairs (VA) regulations relating to Servicemen's and Veterans' Group Life Insurance (SGLI/VGLI) to conform the regulations to statutory changes. In this regard, the regulations are amended to reflect the merger of the Retired Reservist Servicemen's Group Life Insurance (RR SGLI) program into the VGLI program; to reflect the extension of VGLI coverage to members separating from the Ready Reserve; and to rename the SGLI program as "Servicemembers' Group Life Insurance."

EFFECTIVE DATE: July 3, 1997.

FOR FURTHER INFORMATION CONTACT: Jeanne Derrick, Attorney/Advisor, Insurance Program Administration and Oversight, Department of Veterans Affairs Regional Office and Insurance Center, P.O. Box 8079, Philadelphia, PA 19101; (215) 842–2000, ext. 4277.

SUPPLEMENTARY INFORMATION: The Veterans' Insurance Reform Act of 1996, Pub. L. 104–275, tit. IV, 110 Stat. 3337, amended sections 1965, 1967, 1968, 1969 and 1977 of title 38, United States Code. The amendments provide for the merger of the Retired Reserve Servicemen's Group Life Insurance (RR SGLI) program into the Veteran's Group Life Insurance (VGLI) program; the extension of VGLI eligibility to members separating from the Ready Reserve; and the renaming of the Servicemen's Group Life Insurance (SGLI) program to "Servicemembers' Group Life Insurance." VA, accordingly, hereby amends 38 CFR parts 1, 3, and 9 to reflect these statutory changes.

This final rule consists of nonsubstantive changes and, therefore, is not subject to the notice and comment and effective date provisions of 5 U.S.C. 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 (RFA), 5 U.S.C. 601-612. This final rule will not affect any entity since it does not contain any substantive provisions. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance Program number for this regulation is 64.103.

List of Subjects

38 CFR Part 1

Administrative practice and procedure, Claims, Courts, Freedom of information, Government contracts, Privacy, Reporting and recordkeeping requirements.

38 CFR Part 3

Administrative practice and procedure, Claims, Disability benefits, Health care, Pensions, Veterans, Vietnam.

38 CFR Part 9

Life insurance, Military personnel, Veterans.

Approved: May 19, 1997.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR parts 1, 3, and 9 are amended as set forth below:

PART 1—GENERAL PROVISIONS

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

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

2. Part 1 is amended by removing "Servicemen's" wherever it appears, and adding, in its place, "Servicemembers".

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

3. The authority citation for part 3, subpart A continues to read as follows:

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

4. Part 3 is amended by removing "Servicemen's" wherever it appears, and adding, in its place, "Servicemembers".

PART 9—SERVICEMEN'S GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE

5. The authority citation for part 9 continues to read as follows:

Authority: 38 U.S.C. 501, 1965-1979, unless otherwise noted.

6. In § 9.2, paragraphs (a) and (b)(1) are revised to read as follows:

§ 9.2 Effective date; applications.

(a) The effective date of Servicemembers' Group Life Insurance will be in accordance with provisions set forth in 38 U.S.C. 1967.

(b) * * *

(1) For members whose Servicemembers' Group Life Insurance coverage ceases under 38 U.S.C. 1968 (a)(1)(A) and 38 U.S.C. 1968(a)(4), the effective date shall be the 121st day after termination of duty. An application and the initial premium must be received by the administrative office within 120 days following termination of duty or separation or release from such assignment.

* * * * *

§ 9.8 [Amended]

7. In § 9.8, paragraph (b) is amended by removing "38 U.S.C. 1968 (a)(4)(B) or".

8. Part 9 is amended by removing "Servicemen's" wherever it appears, and adding, in its place, "Servicemembers".

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900-A183

Minimum Income Annuity

AGENCY: Department of Veterans Affairs.
ACTION: Interim rule with request for comments.

SUMMARY: The Department of Veterans Affairs (VA) is amending its adjudication regulations to provide for payment of the minimum income annuity, authorized by Pub. L. 92-425 as amended, to certain surviving spouses. This amendment is necessary to reflect statutory revisions contained in the National Defense Authorization Act for Fiscal Year 1997 that transfers the responsibility for paying this benefit from the Department of Defense (DoD) to VA.

DATES: *Effective date:* July 1, 1997.

Comment Date: Comments must be received by VA on or before September 2, 1997.

ADDRESSES: Mail or hand deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Ave., NW, Room 1154, Washington, DC 20420. Comments should indicate that they are submitted in response to "RIN 2900-A183." All written comments received will be available for public inspection at the above address in the Office of Regulations Management, Room 1158, between the hours of 8 a.m. and 4 p.m., Monday through Friday (except holidays).

FOR FURTHER INFORMATION CONTACT: John Bisset, Jr., Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 273-7230.

SUPPLEMENTARY INFORMATION: Pub. L. 92-425 section 4, 86 Stat. 706, 712 (1972) (10 U.S.C. 1448 note), provides for payment of a guaranteed minimum annual income (the so-called minimum-income-widow annuity, hereinafter referred to as the minimum income annuity) to certain surviving spouses of persons entitled to military retired or retainer pay at the time of their death. To be eligible, a person must: (1) Be the surviving spouse of a military retiree who died prior to March 24, 1974; (2) be eligible for VA nonservice-connected death pension; (3) have annual income that is less than the maximum annual rate of pension under 38 U.S.C. 1541(b); and (4) be ineligible to receive an annuity under the Survivor Benefit Plan (10 U.S.C. 1447-1455).

Section 638 of the National Defense Authorization Act for Fiscal Year 1997, Pub. L. 104-201, sec. 638, 110 Stat. 2422, 2581, transfers responsibility for the payment of the minimum income annuity to the Secretary of Veterans Affairs from DoD. However, DoD remains responsible for funding this benefit and determining basic eligibility. This transfer is effective on July 1, 1997, and applies with respect to payments of benefits for any month after June 1997.

Pub. L. 104-201 also provides that the minimum income annuity shall not affect the pension eligibility of the surviving spouse even though, as a result of including the amount of the annuity as pension income, no amount of pension is due. We interpret this provision to mean that an individual is still to be considered "eligible for pension" from VA for purposes of determining basic eligibility for the minimum income annuity even if that