

makes a report pursuant to this section (whether such report is required by this section or made voluntarily) shall be protected from liability for any disclosure contained in, or for failure to disclose the fact of, such report, or both, to the extent provided by 31 U.S.C. 5318(g)(3).

(e) *Compliance.* Compliance with this section shall be audited by the Department of the Treasury, through FinCEN or its delegees under the terms of the Bank Secrecy Act. Failure to satisfy the requirements of this section may constitute a violation of the reporting rules of the Bank Secrecy Act and of this part.

(f) *Effective date.* This section applies to transactions occurring after December 31, 2001.

Dated: March 7, 2000.

**James F. Sloan,**

*Director, Financial Crimes Enforcement Network.*

[FR Doc. 00-5919 Filed 3-8-00; 3:25 pm]

BILLING CODE 4820-03-P

## DEPARTMENT OF DEFENSE DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 21

RIN 2900-AJ87

### Veterans Education: Increased Allowances for the Educational Assistance Test Program

**AGENCIES:** Department of Defense and Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** The law provides that rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program shall be adjusted annually by the Secretary of Defense based upon the average actual cost of attendance at public institutions of higher education in the twelve-month period since the rates were last adjusted. After consultation with the Department of Education, the Department of Defense has concluded that the rates for the 1999-2000 academic year should be increased by 4% over the rates payable for the 1998-99 academic year. The regulations dealing with these rates are amended accordingly.

**DATES:** *Effective Date:* This rule is effective March 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** William G. Susling, Jr., Education Advisor, Education Service, Veterans Benefits Administration, Department of Veterans Affairs (202) 273-7187.

**SUPPLEMENTARY INFORMATION:** The law (10 U.S.C. 2145) provides that the Secretary of Defense shall adjust the amount of educational assistance which may be provided in any academic year under the Educational Assistance Test Program, and the amount of subsistence allowance authorized under that program. The adjustment is to be based upon the twelve-month increase in the average actual cost of attendance at public institutions of higher education. As required by law, the Department of Defense has consulted with the Department of Education. The Department of Defense has concluded that these costs increased by 4% in the 1998-99 academic year. Accordingly, this final rule changes 38 CFR 21.5820 and 21.5822 to reflect a 4% increase in the rates payable in the 1999-2000 academic year. The changes to § 21.5820 include adding provisions for adjustments to compensate for rounding, which were not applicable last year because last year the resulting numerical values did not involve rounding. This final rule also makes nonsubstantive changes for the purpose of clarification.

### Administrative Procedure Act

The rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program are determined based on a statutory formula and, in essence, the calculation of rates merely constitutes a non-discretionary ministerial act. The other changes made by this document are merely nonsubstantive changes for the purpose of clarification. Accordingly, there is a basis for dispensing with notice-and-comment and a delayed effective date under 5 U.S.C. 552 and 553.

### Regulatory Flexibility Act

The Secretary of Veterans Affairs and the Secretary of Defense hereby certify 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. Pursuant to 5 U.S.C. 605(b), this final rule, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

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

### 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, Grant programs-education, Grant programs-veterans, Health programs, Loan programs-education, Loan programs-veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: November 18, 1999.

**Togo D. West, Jr.,**

*Secretary of Veterans Affairs.*

Approved: March 1, 2000.

**Curtis B. Taylor,**

*Colonel, U.S. Army, Principle Director, (Military Personnel Policy) Department of Defense.*

For the reasons set out above, 38 CFR part 21 (subpart H) is amended as set forth below:

## PART 21—VOCATIONAL REHABILITATION AND EDUCATION

### Subpart H—Educational Assistance Test Program

1. The authority citation for part 21, subpart H is revised to read as follows:

**Authority:** 10 U.S.C. ch. 107; 38 U.S.C. 501(a), 3695, 5101, 5113, 5303A; 42 U.S.C. 2000; sec. 901, Pub. L. 96-342, 94 Stat. 1111-1114, unless otherwise noted.

2. Section 21.5820 is amended by:

A. In paragraph (b)(1), removing “1998-99” and adding, in its place, “1999-2000”; and by removing “\$3,258” and adding, in its place, “\$3,388”.

B. In the introductory text of paragraph (b)(2)(ii), removing “1998-99” and adding, in its place, “1999-2000”.

C. In paragraph (b)(2)(ii)(A), removing “\$362” and adding, in its place, “\$376.44”; and by removing “\$181” and adding, in its place, “\$188.22”.

D. In paragraph (b)(2)(ii)(B), removing “\$12.07” and adding, in its place, “\$12.55”; and by removing “\$6.03” and adding, in its place, “\$6.27”.

E. In the introductory text of paragraph (b)(3)(ii), removing “1998-99” and adding, in its place, “1999-2000”.

F. In paragraph (b)(3)(ii)(A), removing “\$362” and adding, in its place, “\$376.44”; and by removing “\$181” and adding, in its place, “\$188.22”.

G. In paragraph (b)(3)(ii)(B), removing “\$12.07” and adding, in its place, “\$12.55”; and by removing “\$6.03” and adding, in its place, “\$6.27”.

H. Revising paragraphs (b)(2)(ii)(C) and (b)(3)(ii)(C).

I. Adding an authority citation at the end of paragraph (b).

The revisions and addition read as follows:

**§ 21.5820 Educational assistance.**

\* \* \* \* \*

- (b) \* \* \*
- (2) \* \* \*
- (ii) \* \* \*

(C) Adding the two results. If the enrollment period is as long as or longer than a standard academic year, this amount will be increased by 4 for a full-time student and increased by 2 for a part-time student.

- (3) \* \* \*
- (ii) \* \* \*

(C) Adding the two results. If the enrollment period is as long as or longer than a standard academic year, this amount will be increased by 4¢ for a full-time student and increased by 2¢ for a part-time student; and

\* \* \* \* \*

(Authority: 10 U.S.C. 2143, 2145)

\* \* \* \* \*

3. Section 21.5822 is amended by:

A. In paragraph (b)(1)(i), removing “\$812” and adding, in its place, “\$844”; and by removing “1998–99” and adding, in its place, “1999–2000”.

B. In paragraph (b)(1)(ii), removing “\$406” and adding, in its place, “\$422”; and by removing “1998–99” and adding, in its place, “1999–2000”.

C. In paragraph (b)(2)(i), removing “1998–99” and adding, in its place, “1999–2000”; and by removing “\$812” and adding, in its place, “\$844”.

D. In paragraph (b)(2)(ii), removing “1998–99” and adding, in its place, “1999–2000”; and by removing “\$406” and adding, in its place, “\$422”.

E. Removing the authority citation at the end of paragraph (b)(1)(ii).

F. Revising the authority citation at the end of paragraph (b)(2)(ii).

The revision reads as follows:

**§ 21.5822 Subsistence allowance.**

\* \* \* \* \*

(Authority: 10 U.S.C. 2144, 2145)

\* \* \* \* \*

[FR Doc. 00–6216 Filed 3–13–00; 8:45 am]

BILLING CODE 8320–01–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[CA 200–0217; FRL–6550–4]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; South Coast Air Quality Management District**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the California State Implementation Plan (SIP). The revisions concern rules from the South Coast Air Quality Management District (SCAQMD). These revisions concern the New Source Review requirements and the methodology for calculating facility allocations for oxides of nitrogen (NO<sub>x</sub>) and oxides of sulfur (SO<sub>x</sub>) for sources subject to the Regional Clean Air Incentives Market (RECLAIM) program in the SCAQMD. This approval action will incorporate these rules into the Federally approved SIP. The intended effect of approving these rules is to regulate the construction and modification of stationary sources and the calculation of RECLAIM facility allocations in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). Thus, EPA is finalizing the approval of these revisions into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for permitting in nonattainment areas.

**DATES:** This rule is effective on April 28, 2000 without further notice, unless EPA receives adverse comments by March 29, 2000. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**ADDRESSES:** Written comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the rule revisions and of EPA’s evaluation report for each rule are available for public inspection at EPA’s Region IX office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105;

Environmental Protection Agency, Air Docket (6102), 401 “M” Street, SW, Washington, DC 20460;

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 “L” Street, Sacramento, CA 95812;

South Coast Air Quality Management District 21865 E. Copley Drive Diamond Bar, CA 91765–4182.

**FOR FURTHER INFORMATION CONTACT:**

Thomas C. Canaday, Rulemaking Office (AIR–4), Air Division, U.S.

Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901, Telephone: (415) 744–1202.

**SUPPLEMENTARY INFORMATION:**

**I. Applicability**

The rules being approved into the California SIP include: South Coast Air Quality Management District (SCAQMD) Rule 2002—Allocations for Oxides of Nitrogen (NO<sub>x</sub>) and Oxides of Sulfur (SO<sub>x</sub>), and Rule 2005—New Source Review for RECLAIM. These rules were submitted by the California Air Resources Board (CARB) to EPA on August 22, 1997, and July 23, 1999, respectively. Rule 2002 establishes the methodology for calculating initial facility allocations for NO<sub>x</sub> and SO<sub>x</sub> sources subject to the requirements of the RECLAIM program. Rule 2005 sets forth the preconstruction review requirements for new facilities subject to the requirements of the RECLAIM program, for modifications to RECLAIM facilities, and for facilities that increase their allocations to a level greater than their starting allocation plus non-tradable credits.

**II. Background**

Rule 2002 was initially adopted by the South Coast Air Quality Management District Board on October 15, 1993 and approved by EPA into the California SIP on November 8, 1996 (61 FR 57775). The SCAQMD Board amended Rule 2002 on December 7, 1995; July 12, 1996 and February 14, 1997. All of the above versions of Rule 2002 have been submitted to EPA for SIP approval. On June 15, 1998, EPA approved the December 7, 1995 version of Rule 2002 into the California SIP (63 FR 32621). Today EPA is taking action on the February 14, 1997 version of Rule 2002.

Rule 2005 was also initially adopted by the South Coast Air Quality Management District Board on October 15, 1993 and approved by EPA into the California SIP on November 8, 1996 (61 FR 57775). The SCAQMD Board adopted revisions to Rule 2005 on December 7, 1995; May 10, 1996; July 12, 1996; February 14, 1997 and most recently, April 9, 1999. All of the above versions of Rule 2005 have been submitted to EPA for SIP approval, except the December 7, 1995 version. On June 15, 1998, EPA approved the May 10, 1996 version of Rule 2005 into the California SIP (63 FR 32621). Today EPA is taking action on the April 9, 1999 version of Rule 2005.

We evaluated Rules 2002 and 2005 for consistency with the CAA, EPA regulations, and EPA policy. We have