

hearing if the hearing becomes disorderly, if the speakers become repetitive, or for other good cause. In any such case, the hearing officer must make a statement for the record on the reasons for terminating the hearing. The hearing officer may also extend the hearing beyond the originally announced date and time. The officer should announce the extension to a later date or time during the hearing and prior to the hearing if possible.

A3.8. **Adjourning the Hearing.** After all persons have had a chance to speak, when the hearing has culled a representative view of public opinion, or when the time set for the hearing and any reasonable extension of time has ended, the hearing officer adjourns the hearing. In certain circumstances (for example, if the hearing officer believes it is likely that some participants will introduce new and relevant information), the hearing officer may justify scheduling an additional, separate hearing session. If the hearing officer makes the decision to hold another hearing while presiding over the original hearing he or she should announce that another public hearing will be scheduled or is under consideration. The officer gives notice of a decision to continue these hearings in essentially the same way he or she announced the original hearing, time permitting. The Public Affairs officer provides the required public notices and directs notices to interested parties in coordination with the hearing officer. Because of lead time constraints, SAF/MIQ may waive **Federal Register** notice requirements or advertisements in local publications. At the conclusion of the hearing, the hearing officer should inform the attendees of the deadline (usually 2 weeks) to submit additional written remarks in the hearing record. The officer should also notify attendees of the deadline for the commenting period of the Draft EIS.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 95-1607 Filed 1-23-95; 8:45 am]

BILLING CODE 3910-01-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08-94-029]

RIN 2115-AE47

Drawbridge Operation Regulations; Superior Oil Canal, LA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Louisiana Department of Transportation and Development (LDOTD), the Coast Guard is changing the regulation governing the operation of the swing span bridge on State Route 82, across Superior Oil Canal, mile 6.3, between

Grand Chenier and Pecan Island, Cameron Parish, Louisiana, by permitting the draw to remain closed to navigation unless 8 hours, notice is given for an opening of the draw. Presently, the draw is required to open on signal from 6 a.m. to 6 p.m. and from 6 p.m. to 6 a.m. the bridge opens on 4 hours, notice. This action will provide relief to the bridge owner, thereby creating a savings to the taxpayer, and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: This regulation becomes effective on February 23, 1995.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Commander (ob), Eighth Coast Guard District, 501 Magazine Street, Room 1313, New Orleans, Louisiana 70130-3396, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-6951.

FOR FURTHER INFORMATION CONTACT: John Wachter, Bridge Administration Manager, (504) 589-2965.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of this regulation are Mr. John Wachter, project officer, and LT Elisa Holland, project attorney.

Regulatory History

On October 4, 1994, the Coast Guard published a notice of proposed rulemaking entitled Drawbridge Operation Regulation; Superior Oil Canal, LA, in the **Federal Register** (59 FR 50530). The Coast Guard received three letters commenting on the proposal. No public hearing was requested, and none was held.

Background and Purpose

LDOTD requested the 8 hours, notice for an opening of the draw versus on-signal opening between 6 a.m. and 6 p.m. and 4 hours, notice from 6 p.m. to 6 a.m. because of a decline in vessel traffic that passes the Superior Oil Canal bridge. This rule will eliminate the requirement of having a person on duty from 6 a.m. to 6 p.m. at the bridge site, creating a savings to the taxpayer while still serving the reasonable needs of navigational interests.

Discussion of Comments and Changes

Three letters of comment were received in response to Public Notice CGD08-94-029 issued on October 14, 1994. The Federal Emergency Management Agency, the National Marine Fisheries Service and the

Louisiana Department of Wildlife & Fisheries offered no objection to the rule change. Therefore, the Final Rule remains unchanged from the Proposed Rule.

Assessment

This regulation 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 6a(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).

Small Entities

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. The basis for this conclusion is the number of vessels which pass the bridge, (1.9 per 24 hour period). The three comments received offered no objection to the proposed rule. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant 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

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the final rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

This rulemaking has been thoroughly reviewed by the Coast Guard and it has been determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2.g.5 of Commandant Instruction M16475.1B. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

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).

2. Section 117.495 is revised to read as follows:

§ 117.495 Superior Oil Canal.

The draw of the S82 bridge, mile 6.3, in Cameron Parish shall open on signal if at least 8 hours notice is given. Public vessels of the United States and vessels in distress shall be passed as soon as possible.

Dated: January 4, 1995.

R.C. North,

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

[FR Doc. 95-1628 Filed 1-23-95; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AH17

Vocational Rehabilitation: Increase in Rates of Subsistence Allowance Payable

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs regulations regarding the monthly rates of subsistence allowance payable under the Vocational Rehabilitation Program

to reflect a 2.44% increase in these rates pursuant to statutory formula. This amendment is necessary to establish the correct rate in accordance with the statutory formula.

EFFECTIVE DATE: October 1, 1994.

FOR FURTHER INFORMATION CONTACT: Charles A. Graffam, Rehabilitation Program Specialist, Policy and Program Development, Vocational Rehabilitation and Counseling Service (281), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-7410.

SUPPLEMENTARY INFORMATION: 38 U.S.C. 3108 provides that, for all fiscal years beginning on or after October 1, 1994, the rate of subsistence allowance payable to VA Rehabilitation Program participants must be increased by the percentage that the Consumer Price Index for all items, United States city average (CPI-W), for the 12-month period ending on the preceding June 30 exceeds the CPI-W for the previous 12-month period. The CPI-W increase as of June 30, 1994, was 2.44%. Hence, the regulations setting the rates of subsistence allowance payable under the Vocational Rehabilitation Program are amended to reflect this 2.44% increase. This amendment to regulations merely conforms to the statutory formula.

VA has determined that prior publication for notice and public comment is unnecessary since the amendment merely reflects a change pursuant to statutory formula and is not subject to rule-making requirements.

The Secretary of Veterans Affairs hereby certifies that this final regulation

will not have a significant impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. The reason for this certification is that this final regulation merely reflects a change pursuant to statutory formula.

The Catalog of Federal Domestic Assistance Program number for these regulations is 64.116.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs, Loan programs, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: January 11, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

For the reason set forth in the preamble, 38 CFR, Part 21, is amended as follows:

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart A—Vocational Rehabilitation Under U.S.C. Chapter 31

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

Authority: 38 U.S.C. 501(a); 38 U.S.C. 3108.

2. In § 21.260, paragraph (b) is revised to read as follows:

§ 21.260 Subsistence allowance.

* * * * *

(b) *Rate of payment.* Subsistence allowance is paid at the following rates effective October 1, 1994.

MONTHLY RATE OF SUBSISTENCE ALLOWANCE

Type of program	No dependents	One dependent	Two dependents	Add'l amount for each dependent over two
Institutional ¹ :				
Full-time	\$374.93	\$465.08	\$548.05	\$39.95
¾ time	281.71	349.32	409.76	30.73
½ time	188.49	233.56	274.54	20.49
Nonpay on-job training in a Federal, state, or local agency, training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only	374.93	465.88	548.05	39.95
Nonpay work experience in a Federal, state or local agency:				
Full-time	374.93	465.08	548.05	39.95
¾ time	281.71	349.32	409.76	30.73
½ time	188.49	233.56	274.54	20.49
Farm cooperative, apprenticeship, or other on-job training ² :				
Full-time only	327.81	396.44	456.88	29.71
Combination of Institutional and OJT (Full-time only):				
Institutional greater than ½ time	374.93	465.08	548.05	39.95
OJT greater than ½ time	327.81	396.44	456.88	29.71
Non-farm cooperative (Full-time only):				
Institutional	374.93	465.08	548.05	39.95
On-job	327.81	396.44	456.88	29.71