

where the amount of the judgment does not exceed \$300,000; and

(C) Terminate collection activity by his or her office as to judgments in favor of the United States which do not exceed \$300,000 if the United States Attorney concludes that the judgment is uncollectible;

provided that such action has the concurrence in writing of the agency or agencies involved, and provided further that this authorization extends only to judgments which have been formally referred to the United States Attorney for collection.

Section 8. The authority redelegated herein shall be subject to the following conditions and limitations:

(A) When, for any reason, the compromise, administrative settlement, or concession of a particular claim, as a practical matter, will control or adversely influence the disposition of other claims totalling more than the respective amounts designated in Sections 2, 3, 4, 5, 6, and 7 hereof, the case shall be forwarded for review at the appropriate level for the cumulative amount of the affected claims;

(B) When, because of the importance of a question of law or policy presented, the position taken by the agency or agencies or by the United States Attorney involved, or any other considerations, the person otherwise authorized herein to take final action is of the opinion that the proposed disposition should be reviewed at a higher level, the case shall be forwarded for such review;

(C) If the Department has previously submitted a case to the Joint Committee on Taxation leaving one or more issues unresolved, any subsequent compromise, administrative settlement, or concession in that case must be submitted to the Joint Committee, whether or not the overpayment exceeds the amount specified in Section 6405 of the Internal Revenue Code;

(D) Nothing in this Directive shall be construed as altering any provision of Subpart Y of Part O of Title 28 of the Code of Federal Regulations requiring the submission of certain cases to the Attorney General, the Associate Attorney General, or the Solicitor General.

(E) Authority to approve recommendations that the Government confess error or make administrative settlements in cases on appeal is excepted from the foregoing redelegations; and

(F) The Assistant Attorney General, at any time, may withdraw any authority delegated by this Directive as it relates to any particular case or category of cases, or to any part thereof.

Section 9. This Directive supersedes Tax Division Directive No. 95, effective February 21, 1992.

Section 10. This Directive is effective on June 14, 1995.

Dated: November 22, 1994.

Loretta C. Argrett,
Assistant Attorney General.

Approved:

Dated: June 8, 1995.

Jamie Gorelick,
Deputy Attorney General.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05-95-023]

RIN 2115-AE47

Drawbridge Operation Regulations; York River, Yorktown, VA

AGENCY: Coast Guard, DOT.

ACTION: Interim rule with request for comments.

SUMMARY: At the request of the Virginia Department of Transportation, the Coast Guard is changing the regulations that govern the operation of the drawbridge across York River, mile 7.0, at Yorktown, Virginia, by extending the periods of restricted bridge openings during the morning and evening rush hours. This is intended to provide relief to highway traffic during the extended rush hours on the roads and highways linked by this drawbridge, while still providing for the reasonable needs of navigation.

EFFECTIVE DATES: This rule is effective on June 14, 1995. Comments must be received on or before September 12, 1995.

ADDRESSES: Comments may be mailed to Commander (ob), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be delivered to Room 109 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (804) 398-6222. Comments will become part of this docket and will be available for inspection at Room 109, Fifth Coast Guard District.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD5-95-023) and the specific section of this rule to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (ob) at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Drafting Information. The principal persons involved in drafting this document are Linda L. Gilliam, Project Manager, Bridge Section, and LCDR C. A. Abel, Project Counsel, Fifth Coast Guard District Legal Office.

Regulatory Information

This rule is being published as an interim rule and is being made effective on the date of publication. Under 5 U.S.C. 553(b), this rule is being promulgated without an NPRM because the need to relieve highway traffic congestion due to current circumstances is immediate, and vessel traffic will not be unduly burdened. Further, this rule should be made effective in less than 30 days after publication under 5 U.S.C. 553(d) because to delay the effective date would further exacerbate already serious highway traffic problems, and the Coast Guard believes it is in the overall public interest to do so. For these reasons, the Coast Guard for good cause finds, under 5 U.S.C. 553 (b)(B) and (d)(3), that notice, and public procedure on the notice, before the effective date of this rule are unnecessary and that this rule should be made effective in less than 30 days after publication.

Background and Purpose

The Virginia Department of Transportation has requested that openings of the George P. Coleman Memorial Bridge across York River, mile 7.0 at Yorktown, Virginia, be further limited by extending the morning and evening rush hour closure periods to all vessel traffic, while continuing to open on signal at all other times.

Currently, the Coleman Bridge is closed to vessel traffic from 6 a.m. to 8 a.m. and 3 p.m. to 6 p.m. Monday through Friday, except Federal holidays, year round. The draw opens on signal at all other times. This rule will extend the morning and evening rush hour restrictions by requiring the bridge to remain closed from 5 a.m. to 8 a.m. and from 3 p.m. to 7 p.m., Monday through Friday, except Federal holidays, year round. Vessels in distress, or in an emergency situation will be allowed passage through the bridge at any time.

The Virginia Department of Transportation's request is based on traffic problems associated with current construction of a new bridge at this location, as well as on an increase in highway traffic crossing the bridge since the Park Service recently closed access to Route 17 at the Colonial Parkway. Finally, Newport News Shipbuilding and Drydock has changed its hours of operation, resulting in motorists crossing the bridge earlier in the morning and later in the evening. The Virginia Pilots Association was informed of the Coast Guard's decision to further restrict openings of the Coleman Bridge. They stated that although they do not support bridge closures in general, they understand the need to extend the hours of restriction for this bridge. The U.S. Navy was contacted and supports the extended periods of restrictions during rush hours.

The Coast Guard believes these restrictions will not unduly restrict vessel passage through the bridge, as vessel operators can plan transits around the interim schedule. The interim rule will remain in effect until three months after completion of construction and renovation of the Coleman bridge. Leaving this rule in effect three months after the work is completed will allow for an evaluation period to gather highway traffic data with the four-lane structure in service. This evaluation period will give VDOT and the Coast Guard information needed to determine if the extended hours of restriction should be made a permanent part of the regulations. The Coast Guard believes it is in the public interest to further limit openings of the Coleman

Bridge and that vessel traffic will not be unduly burdened.

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 been exempted from review 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.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the U.S. 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" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). This rule does not require a general notice of proposed rulemaking and, therefore, is exempt from the regulatory flexibility requirements. Although exempt, the Coast Guard has reviewed this rule for potential impact on small entities. Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business qualifies as a small entity and that this rule will have a significant economic impact on your business, please submit a comment (see ADDRESSES) explaining why you think your business qualifies and in what way and to what degree this rule will affect your business economically.

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 principals and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking 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 amended, 59 FR 38654, 29 July 1994), this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement and checklist has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, the Coast Guard is amending Part 117 of Title 33, Code of Federal Regulations to read 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); Section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.1025(a) is revised to read as follows:

§ 117.1025 York River.

(a) The Coleman Memorial bridge, mile 7.0, at Yorktown, shall open on signal; except from 5 a.m. to 8 a.m. and 3 p.m. to 7 p.m., Monday through Friday, except Federal holidays, the bridge shall remain closed to navigation.

(b) * * *

Dated: May 22, 1995.

W.J. Ecker,

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

[FR Doc. 95-14555 Filed 6-13-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP St. Louis 95-007]

RIN 2115-AA97

Safety Zone; Upper Mississippi River, Mile 167.0 to 241.0

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone on the Upper Mississippi River between mile 167.0 and 241.0. This regulation is needed to protect vessels from the hazards