

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 165

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

#### Regulation

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

#### PART 165—[AMENDED]

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. Add temporary section 165.T01-040 to read as follows:

**§ 165.T01-040 Safety Zone: Great Catskills Triathlon, Hudson River, Kingston, New York.**

(a) *Location.* The following area is a safety zone: all waters of the Hudson River within a 1000 yard radius of 41°56'06"N 073°57'57"W (NAD 1983). This area encompasses approximately 1,800 yards of Kingston Point Reach, from just south of red buoy #74 to green buoy #77.

(b) *Effective period.* This section is effective from 7 a.m. until 8:30 a.m. on Sunday, July 12, 1998.

#### (c) Regulations.

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: June 4, 1998.

**Richard C. Vlaun,**

*Captain, U.S. Coast Guard, Captain of the Port, New York.*

[FR Doc. 98-16239 Filed 6-18-98; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 0

RIN 2900-AJ27

#### Delegation of Authority for Certain Ethics Matters

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Department of Veterans Affairs (VA) regulations captioned "Standards of Ethical Conduct and Related Responsibilities." It removes material regarding certain ethics determinations for agency employees. This material is not required to be published in the Code of Federal Regulations because it does not affect the public. It affects only internal VA practices.

**DATES:** *Effective Date:* June 19, 1998.

**FOR FURTHER INFORMATION CONTACT:** Walter A. Hall, Assistant General Counsel (023) and Designated Agency Ethics Official, Department of Veterans Affairs, Office of General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 273-6334.

**SUPPLEMENTARY INFORMATION:** This document does not constitute rulemaking under the provisions of 5 U.S.C. 552 and 553. Accordingly, there is no basis for prior notice and comment or a delayed effective date.

This document does not concern a "rule" as defined in the Regulatory Flexibility Act, 5 U.S.C. 601. Nevertheless, the Secretary hereby certifies that this regulatory amendment 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, because the amendment only affects individuals.

There is no Catalog of Federal Domestic Assistance program number.

#### List of Subjects in 38 CFR Part 0

Conflict of interests.

Approved: May 27, 1998.

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

For the reasons set forth in the preamble, 38 CFR part 0, subpart A, is amended as follows:

#### PART 0—STANDARDS OF ETHICAL CONDUCT AND RELATED RESPONSIBILITIES

1. The authority citation for part 0 is revised to read as follows:

**Authority:** 5 U.S.C. 301; 38 U.S.C. 501; see sections 201, 301, and 502(a) of E.O. 12674,

54 FR 15159, 3 CFR, 1989 Comp., p. 215 as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

#### Subpart A—General Provisions

##### § 0.735-2 [Removed]

2. Section 0.735-2 is removed.

##### § 0.735-3 [Redesignated as § 0.735-2]

3. Section 0.735-3 is redesignated as § 0.735-2.

[FR Doc. 98-16275 Filed 6-18-98; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### Board of Veterans' Appeals

#### 38 CFR Part 20

RIN 2900-AI87

#### Board of Veterans' Appeals: Rules of Practice—Continuation of Representation Following Death of a Claimant or Appellant

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Rules of Practice of the Board of Veterans' Appeals (Board) to eliminate a rule which automatically assigns a deceased appellant's representative to the appellant's survivor. This change is necessary because of a court ruling which eliminates the need for such a provision.

**DATES:** *Effective Date:* July 20, 1998.

**FOR FURTHER INFORMATION CONTACT:** Steven L. Keller, Chief Counsel, Board of Veterans' Appeals, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202-565-5978).

**SUPPLEMENTARY INFORMATION:** On October 23, 1997, VA published in the **Federal Register** (62 FR 55200) a proposed rule which would eliminate a provision in the Board's Rules of Practice—Rule 611 (38 CFR 20.611)—permitting a deceased appellant's representative to continue to act with respect to any appeal pending upon the death of the appellant. We proposed this change because the U.S. Court of Veterans Appeals had ruled that, generally, a claim for benefits does not survive the death of the claimant. *Smith (Irma) v. Brown*, 10 Vet. App. 330 (1997).

The public was given 60 days to submit comments. VA received no comments.

Accordingly, based on the rationale set forth in the proposed rule document,