

(b) *Spouse of a deceased U.S. Citizen.* The spouse of a deceased U.S. citizen, and each child of the spouse, will be entitled to immediate relative status after the date of the citizen's death provided the spouse or child meets the criteria of INA 201(b)(2)(A)(i) and the Consular Officer has received an approved petition from the INS which accords such status, or official notification of such approval, and the Consular Officer is satisfied that the alien meets those criteria.

7. Amend § 42.71 by revising paragraph (a) to read as follows:

§ 42.71 Authority to issue visas; visa fees.

(a) *Authority to issue visas.* Consular officers may issue immigrant visas at designated consular offices abroad pursuant to the authority contained in INA 101(a)(16), 221(a), and 224. (Consular offices designated to issue immigrant visas are listed periodically in Visa Office Bulletins published by the Department of State.) A consular officer assigned to duty in the territory of a country against which the sanctions provided in INA 243(d) have been invoked must not issue an immigrant visa to an alien who is a national, citizen, subject, or resident of that country, unless the officer has been informed that the sanction has been waived by INS in the case of an individual alien or a specified class of aliens.

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Dated: September 16, 1999.

Mary A. Ryan,
Assistant Secretary for Consular Affairs.
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-98-054]

RIN 2115 AE47

Drawbridge Operation Regulations; Suwannee River, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations governing the operation of the old CSX Railroad bridge, across the Suwannee River, mile 35.0 at Old Town, Dixie/ Levy Counties, by allowing the bridge to remain permanently closed. This action will accommodate the needs of non motorized recreational traffic and still

provide for the reasonable needs of navigation.

DATES: This section becomes effective November 12, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Walt Paskowsky, Project Manager, Bridge Section, (305) 536-4103.

SUPPLEMENTARY INFORMATION:

Regulatory History

On November 9, 1998, the Coast Guard published a notice of proposed rulemaking in the **Federal Register** (63 FR 60226). The Coast Guard received one comment on the proposal. A public hearing was not requested and one was not held.

Background and Purpose

The CSX Railroad bridge across Suwannee River is required to open with 5 Days advance notice (33 CFR 117.33). However, no requests for a bridge opening have been received since 1981. The State of Florida purchased the bridge in 1997 and removed the railroad tracks for development of the nature Coast Trail, a public facility for non-motorized recreational activities.

Discussion of Comments and Changes

One comment was received requesting that the bridge be returned to operable condition within six months, if changed conditions warrant it. The final rule is changed from the proposed rule to address the concern expressed by the comment. A provision has been added to restore the bridge to operable condition within 6 months of notification by the District Commander to do so.

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 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10 e of the regulatory policies and procedures of DOT is unnecessary. We conclude this because of the lack of requests to open the draw.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities.

“Small entities” may include small businesses and not for profit organizations that are independently owned and operated and are not dominant in their field and governmental jurisdictions with populations of less than 50,000. Because it expects the impact of the proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this final 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

The Coast Guard has analyzed the rule 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.

Environmental Assessment

The Coast Guard considered the environmental impact of this rule and has determined under Figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, that this action is categorically excluded from further environmental documentation. A “Categorical Exclusion Determination” is available in the docket.

List of Subjects in 33 CFR Part 117

Bridges.
For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 117 as follows:

PART 117—[AMENDED]

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 117.333 is revised to read as follows:

§ 117.333 Suwannee River.

The draw of Suwannee River bridge, mile 35 at Old Town need not be opened for the passage of vessels, however, the draw shall be restored to operable condition within 6 months after notification by the District Commander to do so.

Dated: September 16, 1999.

Thad. W. Allen,
Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

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