

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**32 CFR Parts 71, 105, and 243**

**Removal of Obsolete Regulations**

**AGENCY:** Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** The Department of Defense is removing several CFR parts from Chapter I, Office of the Secretary of Defense. This administrative action removes obsolete information from the Code of Federal Regulations and notifies readers of the availability of the current DoD documents that contain the information being removed.

**DATES:** This rule is effective August 23, 2006.

**FOR FURTHER INFORMATION CONTACT:** L. Bynum 703-696-4970.

**SUPPLEMENTARY INFORMATION:** Each part has been removed to correspond with the cancellation of the DoD Directive for which the part was based. The chart below identifies the part number and its companion Directive. All three DoD Directives were canceled by a Director of Administration and Management memorandum dated August 8, 2006.

Part No.	Title	DoD directive No.
71 .....	Eligibility Requirements for Education of Minor Dependents in Overseas Areas .....	1342.13
105 .....	Employment and Volunteer Work of Spouses of Military Personnel .....	1400.33
243 .....	Intergovernmental Coordination of DoD Federal Development Programs and Activities .....	4165.61

**List of Subjects**

*32 CFR Part 71*

Elementary and secondary education; Military personnel; Panama Canal.

*32 CFR Part 105*

Military personnel.

*32 CFR Part 243*

Intergovernmental relations.

**PARTS 71, 105, and 243—[REMOVED]**

■ Accordingly, by the authority of 10 U.S.C. 301, 32 CFR parts 71, 105, and 243 are removed.

August 14, 2006.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[CGD01-06-006]

RIN 1625-AA09

**Drawbridge Operation Regulations; Jamaica Bay and Connecting Waterways, New York City, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule; extension of effective period.

**SUMMARY:** The Coast Guard has changed the effective period for the temporary regulation governing the operation of the New York City Highway Bridge (Belt Parkway), at mile 0.8, across Mill Basin, at New York City, New York. This

temporary final rule allows the bridge owner to extend the effective period during which only one of the two moveable spans need open for the passage of vessel traffic. This rule is necessary to facilitate the completion of the ongoing bridge deck replacement.

**DATES:** This temporary rule is effective from September 8, 2006 through December 30, 2006.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD01-06-006 and are available for inspection or copying at the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, (212) 668-7195.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

On January 30, 2006, we published a notice of proposed rulemaking (NPRM) entitled “Drawbridge Operation Regulations; Jamaica Bay and Connecting Waterways, New York City, NY,” in the **Federal Register** (71 FR 4852). We received no comments in response to the NPRM.

On March 13, 2006, we published a temporary final rule (TFR) entitled “Drawbridge Operation Regulations; Jamaica Bay and Connecting Waterways, New York City, NY,” in the **Federal Register** (71 FR 12621).

We did not publish an NPRM for this extension of the temporary final rule’s effective period. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM because it is impracticable to issue an NPRM prior to the previously

announced September 7, 2006 expiration of the temporary final rule, and because any interruption of the arrangements permitted by the temporary final rule would be contrary to the public interest. For the same reason, the Coast Guard finds under 5 U.S.C. 553(d) that good cause exists for making this extension of the temporary final rule effective less than 30 days after publication. The deck replacement for the New York City Highway Bridge is ongoing, vital, and necessary work that must be performed without delay as a result of the deterioration of the existing bridge deck which could fail if not replaced with all due speed. Work is behind schedule due to unforeseen construction delays and bad weather. In order to assure the continued safe and reliable operation of the bridge, construction should be allowed to continue through December 30, 2006.

**Background and Purpose**

The New York City Highway Bridge (Belt Parkway), has a vertical clearance of 34 feet at mean high water and 39 feet at mean low water in the closed position. The existing regulations are listed at 33 CFR 117.795(b).

The owner of the bridge, New York City Department of Transportation (NYCDOT), requested a temporary change to the drawbridge operation regulations in November 2005, to facilitate the replacement of the bridge roadway deck. During the prosecution of that rehabilitation construction, the opening span that was undergoing deck replacement could not open for vessel traffic. As a result, the bridge owner requested that only one of the two opening spans open for the passage of vessel traffic from March 1, 2006 through September 7, 2006.

The Coast Guard published a temporary final rule (71 FR 12621) on March 13, 2006, effective from March 8,