

ITVERP claimants that might otherwise lead to the denial of meritorious claims from victims, even where such victims show good cause for delayed filing.

The rule would not adversely affect any segment of the public whatsoever, as it would not result in the denial of any additional claims, and therefore advance notice and public comment are unnecessary. The present rule clearly is one that “grants or recognizes an exemption or relieves a restriction,” and, therefore, waiver of the 30-day period prior to the rule’s taking effect is likewise appropriate here. See 5 U.S.C. 553(d)(1). The changes made by this interim-final rule remove an unnecessary administrative restriction on claim filing, and operate for the benefit of victims of international terrorism who may apply for the program.

As there are presently ITVERP claims before OVC that might otherwise be unnecessarily denied or delayed absent this amendment, it is impractical and contrary to the public interest to delay implementation of this rule. Moreover, the portion of the ITVERP rule amended by this interim-final rule directly affects only the Director of OVC, and the Director has “actual notice” of this rule, per 5 U.S.C. 553(b). OVC believes that the rule is noncontroversial and adverse comments will not be received, although comments on this rule are invited. Accordingly, OVC finds that “good cause” exists under 5 U.S.C. 553(b)(B) and 553(d) to make this rule effective upon publication in the **Federal Register**. Public comment after this rule is published is welcomed, and will be carefully reviewed to ensure that any substantive concerns or issues are addressed.

#### *Executive Order 13132—Federalism*

This regulation will not have a substantial direct effect on the states, on the relationship between the national government and the states, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Exec. Order No. 13132, 64 FR 43, 255 (Aug. 4, 1999), it is determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### *Cost/Benefit Assessment*

This regulation has no cost to state, local, or tribal governments, or to the private sector. It merely alleviates an administrative restriction on victim claim filing by permitting the OVC Director to allow late filing where the Director determines that this is

appropriate. The ITVERP is funded by fines, fees, penalty assessments, and forfeitures paid by federal offenders, as well as gifts from private individuals, deposited into the Crime Victims Fund in the U.S. Treasury, and set aside in the Antiterrorism Emergency Reserve Fund, which is capped at \$50 million in any given year. The cost to the Federal Government consists both of administrative expenses and amounts reimbursed to victims. Both types of costs depend on the number of claimants, prospective as well as retroactive. This rule is not expected to significantly increase the number of eligible claimants, and therefore the negligible cost potentially associated with allowing certain late-filed claims to be processed is clearly outweighed by considerations of fairness in the program’s administration (given that the program is relatively new) and the benefit of ensuring that victims eligible for, and in need of, reimbursement for injuries and losses from overseas terrorism are provided such reimbursement. This regulation is not expected to substantially increase the overall budgetary impact of the ITVERP.

#### *Regulatory Flexibility Act*

This regulation will not have a significant economic impact on a substantial number of small entities. This regulation has no cost to State, local, or tribal governments, or to the private sector. The ITVERP is funded by fines, fees, penalty assessments, and bond forfeitures paid by Federal offenders, as well as gifts from private individuals, deposited into the Crime Victims Fund in the U.S. Treasury. Therefore, an analysis of the impact of this regulation on such entities is not required under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

#### *Paperwork Reduction Act of 1995*

This rule contains no new information collection or record-keeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*).

#### *Unfunded Mandates Reform Act of 1995*

This regulation will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### **List of Subjects in 28 CFR Part 94**

Administrative practice and procedures, International terrorism, Victim compensation.

Accordingly, for the reasons set forth in the preamble, title 28, part 94, subpart A of the Code of Federal Regulations is amended as follows:

#### **PART 94—CRIME VICTIM SERVICES**

- 1. The authority citation for part 94 continues to read as follows:

**Authority:** Victims of Crime Act (VOCA), Title II, Secs. 1404C and 1407 (42 U.S.C. 10603c, 10604).

#### **Subpart A—International Terrorism Victim Expense Reimbursement Program**

- 2. Revise § 94.32 to read as follows:

##### **§ 94.32 Application deadline.**

For claims related to acts of international terrorism that occurred after October 6, 2006, the deadline to file an application is three years from the date of the act of international terrorism. For claims related to acts of international terrorism that occurred between December 21, 1988, and October 6, 2006, the deadline to file an application is October 6, 2009. At the discretion of the Director, the deadline for filing a claim may be tolled or extended upon a showing of good cause.

Dated: March 31, 2011.

**Laurie O. Robinson,**

*Assistant Attorney General.*

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#### **DEPARTMENT OF HOMELAND SECURITY**

#### **Coast Guard**

#### **33 CFR Part 117**

[Docket No. USCG–2011–0202]

#### **Drawbridge Operation Regulations; Harlem River, New York, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the 103rd Street (Wards Island) Pedestrian Bridge, mile 0.0, across the Harlem River at New York City, New York. The deviation is necessary to facilitate bridge rehabilitation. This deviation allows the

bridge to remain in the closed position for 70 days.

**DATES:** This deviation is effective from April 30, 2011 through July 8, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2011–0202 and are available online at <http://www.regulations.gov>, inserting USCG–2011–0202 in the “Keyword” and then clicking “Search”. They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Mr. Joe Arca, Project Officer, First Coast Guard District, [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil), or telephone (212) 668–7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** The 103rd Street (Wards Island) Pedestrian Bridge, across the Harlem River, mile 0.0, at New York City, New York, has a vertical clearance in the closed position of 55 feet at mean high water and 60 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.789.

The owner of the bridge, New York City Department of Transportation, has requested a temporary deviation from the regulations to complete rehabilitation of the bridge which was begun in January 2011.

The Coast Guard published a temporary deviation for the 103rd Street (Wards Island) Pedestrian Bridge on January 20, 2011, (76 FR 3516), authorizing the bridge to remain in the closed position effective from January 10, 2011 through April 29, 2011.

The bridge owner has requested a second temporary deviation through July 8, 2011 in order to continue rehabilitation past April 29, 2011, due to unanticipated additional repair work which was discovered.

In addition, containment scaffolding located under the lift span will reduce the vertical clearance by approximately four feet while the scaffolding is in place. Most vessel traffic that uses this waterway can fit under the draw without requiring bridge openings.

Under this temporary deviation the 103rd Street (Wards Island) Pedestrian Bridge may remain in the closed position from April 30, 2011 through July 8, 2011. Vessels that can pass under

the bridge in the closed position may do so at any time.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 31, 2011.

**Gary Kassof,**  
*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2011–8515 Filed 4–8–11; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG–2011–0203]

#### Drawbridge Operation Regulations; Apponagansett River, Dartmouth, MA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Padanaram Bridge at mile 1.0 across the Apponagansett River, at Dartmouth, Massachusetts. The deviation is necessary to facilitate electrical maintenance. This deviation allows the bridge to remain in the closed position for five days.

**DATES:** This deviation is effective from April 18, 2011 through April 22, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2011–0203 and are available online at <http://www.regulations.gov>, inserting USCG–2011–0203 in the “Keyword” and then clicking “Search”. They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Mr. John McDonald, Project Officer, First Coast Guard District, [john.w.mcdonald@uscg.mil](mailto:john.w.mcdonald@uscg.mil), or telephone (617) 223–8364. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** The Padanaram Bridge, across the Apponagansett River, mile 1.0, at Dartmouth, Massachusetts, has a vertical clearance in the closed position of 9 feet at mean high water and 12 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.587.

The owner of the bridge, the Town of Dartmouth, requested a temporary deviation from the regulations to facilitate electrical repairs, motor replacement, at the bridge.

Under this temporary deviation the Padanaram Bridge may remain in the closed position from April 18, 2011 through April 22, 2011. Vessels that can pass under the bridge in the closed position may do so at any time.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 29, 2011.

**Gary Kassof,**  
*Bridge Program Manager, First Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG–2011–0095]

#### Drawbridge Operation Regulation; Calcasieu River, Westlake, LA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Union Pacific Railroad swing bridge across the Calcasieu River, mile 36.4, at Westlake, Calcasieu Parish, Louisiana. The deviation is necessary to perform maintenance and updates to the bridge’s operating system. This deviation allows the bridge to remain closed to navigation during night operations on two separate occasions.

**DATES:** This deviation is effective from 11 p.m. on Sunday, April 17, 2011, through 5 a.m. on Monday, April 25, 2011, and from 11 p.m. on Sunday, May 8, 2011, through 5 a.m. on Tuesday, May 31, 2011.