

Pesticides and pests, Reporting and record keeping requirements, Tobacco.

For the reasons set forth in the preamble, it is proposed that the 7 CFR part 29 be amended as follows:

#### PART 29—TOBACCO INSPECTION

1. The authority citation for part 29, subpart C continues to read as follows:

**Authority:** 7 U.S.C. 511b, 511m, and 511r.

##### Subpart C—Standards

2. In § 29.3053, paragraph (b) would be revised to read as follows:

##### § 29.3053 Rework.

\* \* \* \* \*

(b) Tobacco not properly tied in hands, not packed in bales approximately 1 x 2 x 3 feet, not oriented, not packed straight, bales not opened for inspection when chosen by a grader, or otherwise not properly prepared for market.

\* \* \* \* \*

Dated: June 24, 1997.

**Lon Hatamiya,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 97-17103 Filed 6-30-97; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD05-97-009]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Pasquotank River, Elizabeth City, North Carolina

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** At the request of the North Carolina Department of Transportation, the Coast Guard is proposing to change the regulations that govern the operation of the Highway 158 drawbridge across the Pasquotank River, mile 50.7, at Elizabeth City, North Carolina, by eliminating bridge openings for pleasure vessels from Monday through Friday between 7 a.m. and 9 a.m., and 4 p.m. and 6 p.m., except that, openings would be scheduled at 7:30 and 8:30 a.m., and 4:30 and 5:30 p.m. for any waiting pleasure vessels. This proposed rule is intended to help relieve automobile traffic congestion during the morning and afternoon rush hours, while still providing for the reasonable needs of navigation.

**DATES:** Comments must be received on or before September 2, 1997.

**ADDRESSES:** Comments may be mailed to Commander (Aowb), USCG Atlantic Area, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be hand-delivered to the same address between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222. Comments will become a part of this docket and will be available for inspection and copying at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, USCG Atlantic Area, at (757) 398-6222.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD05-97-009), the specific section of this rule to which each comment applies, and give reasons 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 that is 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 proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander, USCG Atlantic Area, at the address listed 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 Terrance Knowles, Project Manager, Bridge Administration Section, and LT Robert L. Wegman, Project Counsel, USCG Maintenance and Logistics Command Atlantic Legal Division.

##### Background and Purpose

The Highway 158 drawbridge across the Pasquotank River, mile 50.7, at

Elizabeth City, North Carolina is currently required to open on signal year round. The City of Elizabeth City, through the North Carolina Department of Transportation (NCDOT), has requested permission to restrict drawbridge openings for pleasure vessels only to reduce highway traffic congestion during the morning and evening rush hours. In support of its request, the NCDOT contends that 10 years of records during the period from 1985 through 1995 show that highway traffic increases have caused excessive highway congestion.

The Coast Guard has reviewed the NCDOT highway traffic data during the 10 year period from 1985 through 1995, and the drawbridge opening logs from January 1995 to December 1995, copies of which are included in the docket for this rulemaking. This data appears to support NCDOT's request. According to the 1995 drawbridge logs, 234 openings occurred between 7 a.m. and 9 a.m. and 235 openings occurred between 4 p.m. and 6 p.m. Thus, the daily average for the year was 0.6 openings for each of the proposed restricted periods. Only during the month of May 1995 were there more than 2.0 openings during the time periods in question. During May 1995, an average of 2.6 openings occurred between 7 a.m. and 9 a.m. Even though 2.6 openings is not excessive, NCDOT states that the random timing of the openings caused highway traffic to backup four to six blocks. In support of this contention, the NCDOT provided highway traffic data which shows that highway traffic volumes increased by an average of between 200 and 300 vehicles during the proposed morning and evening restricted periods as compared to other daylight hours. Based upon this data, the Coast Guard believes that the 2.0 proposed scheduled openings for pleasure vessels for each time period should be adequate for marine traffic and should help to reduce highway traffic congestion.

##### Discussion of Proposed Rule

The Coast Guard is proposing a new regulation governing the operation of this drawbridge. The proposed rule would eliminate openings of the bridge between 7 a.m. and 9 a.m., and 4 p.m. and 6 p.m., Monday through Friday for pleasure vessels except that the draw would open at 7:30 a.m., 8:30 a.m., 4:30 p.m., and 5:30 p.m. for any pleasure vessels waiting to pass. The draw would open on signal for public vessels of the United States or local vessels used for public safety, commercial vessels, tugs with tows, and vessels in distress. The draw would continue to open on signal

at all other times. The Coast Guard believes that these proposed changes will relieve highway traffic congestion and not cause an undue hardship on navigation.

The text of the current regulation, Section 117.833 would be redesignated as paragraph (a) and a new paragraph (b) would be added for the new regulation.

### Regulatory Evaluation

This proposed 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 proposed 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 Coast Guard must consider whether this proposed rule will have a significant economic impact on a substantial number of small entities. "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). Because it expects the impact of this proposed rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

### Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

### Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612, and has determined that this proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### Environment

The Coast Guard considered the environmental impact of this proposal 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 proposed rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement 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 proposes to amend Part 117 of Title 33, Code of Federal Regulations 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. The text of Section 117.833 is redesignated as paragraph (a) and a new paragraph (b) is added to read as follows:

#### § 117.833 Pasquotank river.

(a) \* \* \*

(b) The draw of the US 158 Highway Bridge, mile 50.7, at Elizabeth City, shall open on signal; except that between 7 a.m. and 9 a.m., and 4 p.m. and 6 p.m., Monday through Friday, the draw need open only at 7:30 a.m., 8:30 a.m., 4:30 p.m., and 5:30 p.m. for any pleasure vessels waiting to pass.

Dated: June 13, 1997.

**Roger T. Rufe, Jr.,**

*Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.*

[FR Doc. 97-17072 Filed 6-30-97; 8:45 am]

BILLING CODE 4910-14-M

### DEPARTMENT OF VETERANS AFFAIRS

#### 38 CFR Part 21

RIN 2900-A172

#### Provision of Vocational Training and Rehabilitation to Vietnam Veterans' Children With Spina Bifida

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to establish Department of Veterans Affairs (VA) regulations for providing vocational training and rehabilitation to Vietnam veterans' children with spina bifida. This is necessary for providing vocational training and rehabilitation to

these children under recently enacted legislation that authorizes this benefit. This document also requests Paperwork Reduction Act comments concerning the proposed collections of information contained in this document.

**DATES:** Comments must be received on or before September 2, 1997.

**ADDRESSES:** Mail or hand deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Ave., NW, Room 1154, Washington, DC 20420. Comments should indicate that they are submitted in response to "RIN 2900-A172." All written comments received will be available for public inspection at the above address in the Office of Regulations Management, Room 1158, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

**FOR FURTHER INFORMATION CONTACT:** Charles A. Graffam, Veterans Claims Examiner, Vocational Rehabilitation and Counseling Service (28), Department of Veterans Affairs, 810 Vermont Ave., NW, Washington, DC 20420; (202) 273-7410.

**SUPPLEMENTARY INFORMATION:** This document proposes to amend 38 U.S.C. part 21, Vocational Rehabilitation and Education, to set forth a new subpart M regarding the provision of vocational training, services, and assistance to Vietnam veterans' children with spina bifida. Spina bifida is a congenital birth defect, characterized by defective closure of the bones surrounding the spinal cord. The spinal cord and its covering (the meninges) may protrude through the defect. A 1996 study by the National Academy of Sciences found limited or suggestive evidence that associated parental exposure to herbicides in Vietnam and increased risk of spina bifida in their children.

The provisions of 38 U.S.C. chapter 18 (section 421, Pub. L. 104-204, September 26, 1996) provide for three separate types of benefits for Vietnam veterans' children who suffer from spina bifida: (1) Monthly monetary allowances; (2) provision of health care needed for the spina bifida or any disability associated with the spina bifida; and (3) provision of vocational training and rehabilitation. In the **Federal Register** of May 1, 1997, VA published companion documents to this one, setting forth proposed rules concerning the first two of these benefits: Monetary Allowance Under 38 U.S.C. 1805 for a Child Born with Spina Bifida Who Is a Child of a Vietnam Veteran (62 FR 23724) and Provision of Health Care to Vietnam Veterans'