PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AGL MN E5 Minneapolis MN [Revised]

Minneapolis-St. Paul International Airport (Wold-Chamberlain) Airport DME
(Lat., 44°52′29″N., long. 93°12′23″W.)
Minneapolis, Anoka County-Blaine Airport (Janes Field), MN
(Lat., 44°08′42″N., long. 93°12′41″W.)
St. Paul, Lake Elmo Airport, MN
(Lat., 44°59′51″N., long. 92°51′20″W.)
Minneapolis, Airlake Airport, MN
(Lat., 44°37′40″N., long. 93°13′41″W.)
Farmington VORTAC
(Lat., 44°37′51″N., long. 93°10′55″W.)

That airspace extending upward from 700 feet above the surface within a 20.0-mile radius for the Minneapolis-St. Paul International Airport (Wold-Chamberlain) Airport DME antenna, and within a 6.5-mile radius of the Anoka County-Blaine Airport (Janes Field), and within a 6.3-mile radius of Lake Elmo Airport, and within a 6.4-mile radius of the Airlake Airport and within 3.3 miles each side of the 084° bearing from the Farmington VORTAC extending from the 6.4-mile radius to 14.8 miles east of the Airlake Airport.

* * * * *

Issued in Des Plaines, Illinois on May 12, 1999.

Christopher R. Blum,

Manager, Air Traffic Division.

[FR Doc. 99–13229 Filed 5–24–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF JUSTICE

Bureau of Justice Assistance

28 CFR Part 32

[OJP (BJA)–1216]

RIN 1121–AA51

Public Safety Officers' Educational Assistance Program

AGENCY: Office of Justice Programs, Bureau of Justice Assistance, Public Safety Officers' Benefits Office, Justice.

ACTION: Proposed rulemaking.

SUMMARY: Amendments are being proposed to regulations on Federal Law Enforcement Dependents Assistance (FLEDA), to comply with the changes made to the authorizing statute, and by the Police, Fire, and Emergency Officers' Educational Assistance Act of 1998. The amendments expand the FLEDA program to authorize financial educational assistance to the dependents of all public safety officers whose deaths or permanent disabilities resulted in the payment of benefits under the Public Safety Officers' Benefits (PSOB) Program.

DATE: Comments will be received no later than 5:00 pm on July 9, 1999.

ADDRESSES: All comments must be written and should be sent to: Ashton Flemmings, Chief, Public Safety Officers' Benefits Office, 810 7th Street, NW. Washington DC 20531.

FOR FURTHER INFORMATION CONTACT: Ashton Flemmings, Chief, Public Safety Officers' Benefits Office, 810 7th Street, NW., Washington, DC 20531. Telephone: (202) 307–0635 or toll free at 1–888–744–6513.

SUPPLEMENTARY INFORMATION: The Bureau of Justice Assistance (BJA) proposes to amend the regulations governing the Federal Law Enforcement Dependents' Assistance (FLEDA) program, found at 28 CFR part 32, Subpart B, to comply with the amendments to its authorizing statute, 42 U.S.C. 3796 *et seq.*, enacted by the Police, Fire, and Emergency Officers' Educational Assistance Act of 1998, Pub. L. No. 104–238, 112 Stat. 3495, (November 13, 1998), (hereinafter the Public Safety Officers' Educational Assistance Act or PSOEA Act). The PSOEA Act expands the scope of eligibility for financial assistance for higher education to the dependents of all public safety officers, including Federal firefighters and state and local officers, who are killed or permanently and totally disabled in the line of duty. Previously, the FLEDA program only made available financial assistance for higher education to the dependents of Federal law enforcement officers who were killed or permanently and totally disabled in the line of duty. The amendments being proposed to this subpart, in accordance with the PSOEA Act, will allow the spouses and children of all public safety officers who are killed or permanently and totally disabled in the line of duty, and with respect to whom a claim has been approved under the Public Safety Officers' Benefits (PSOB) program, to receive these educational benefits.

To reflect the expansion of the program, therefore, the name of the program is proposed to be changed from the ''Federal Law Enforcement Dependents' Assistance'' (FLEDA) program to the ''Public Safety Officers' Educational Assistance'' (PSOEA) program. Likewise, the references in subpart B to ''Civilian federal law enforcement'' or ''Federal law enforcement'' are proposed to be changed to ''public safety.''

Section 32.37 of the regulation is proposed to be amended to comply with the mandate of section 2(4) of the PSOEA Act, which requires the issuance of regulations regarding the use of ''sliding scale based on financial need to ensure that an eligible dependent who is in financial need receives priority in receiving funds'' under this program. In accordance with this section, BJA intends to calculate of the amount of assistance, if needed, in such a manner so to ensure those applicants who are in the greatest financial need, *i.e.*, would be unable to attend a program of study at a qualified institution of higher education in the absence of some measure of assistance, receive an amount that would allow them to do so and to which they would otherwise be entitled to under this provision. While the PSOEA Act requires, if needed, reduction of the total amount of assistance by the amount calculated using the sliding scale, it is anticipated that no such reduction will be necessary, and that all eligible dependents will be able to receive the total amount of benefits for which they qualify. In order to do this, applicants may submit a statement of financial need, with documentation of such need, including information regarding all assets and sources of income, such as the Internal Revenue Service's form 1040. If the student is dependent on his or her parents for support, information regarding the parents income and assets may be required. This information will only be used to give priority in awarding funds in the event that it appears that amounts appropriated for

the program are not sufficient to allow for all eligible applicants to receive the total amount for which they qualify.

Retroactive eligibility to on or after May 1, 1992 will continue for the dependents of Federal law enforcement officers killed in the line of duty. The dependents of Federal law enforcement officers, who were permanently and totally disabled in the line of duty, are entitled to receive benefits under this program if the disability occurred on or after October 1, 1996, the date of the enactment of the original authorizing legislation for FLEDA. The dependents of all other public safety officers, consistent with the authorization, will be eligible for benefits on a retroactive basis if the public safety officer was killed in the line of duty on or after October 1, 1997. The regulations are being proposed to be amended at section 32.35(a) to reflect this allowance.

This program will continue to recognize the sacrifices and invaluable contributions made to the nation's safety by all public safety officers through the availability of this assistance. The program authorizes the payment of benefits to eligible dependents for attendance only at an approved program of education at institutions for higher education. The standards regarding eligible institutions and the calculation of education benefits remain unchanged from the standards currently used under the FLEDA program, and readers are encouraged to consult the preamble to the FLEDA final rule at 62 FR 37713, July 15, 1997, for a detailed discussion of the operation and mechanics of the program.

While the regulation, on the whole, remains very much unchanged, comments are sought from all interested persons on any of the information contained herein, and particularly on the use of a sliding scale to ensure benefits are paid to those with the greatest financial need. All comments received on or before the closing date will be carefully considered.

In order to implement the PSOEA program promptly to provide financial assistance to qualified dependents, the public comment period for this rule is forty-five days.

Executive Order 12866

This regulation has been written and reviewed in accordance with Executive Order 12866, Sec. 1(b), Principles of Regulation. The Office of Justice Programs has determined that this rule is not a ''significant regulatory action'' under Executive Order 12866, Sec. 3(f), Regulatory Planning and Review, and accordingly this rule has not been reviewed by the Office of Management and Budget.

Executive Order 12612

This regulation will not have substantial direct effects 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 Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Office of Justice Programs, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact upon a substantial number of small entities for the following reasons: The FLEDA program will be administered by the Office of Justice Programs, and any funds distributed under it shall be distributed to individuals, not entities, and the economic impact is limited to the Office of Justice Program's appropriated funds.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private section, 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.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by Sec. 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 or more; a major increase in cost or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Paperwork Reduction Act

The collection of information requirements contained in the proposed regulation have been approved by the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act (44 U.S.C. 3504(h)). In accordance with 5 CFR 1320.5(b), the OMB control number pertaining to the collection of information is 1121–0220.

List of Subjects in 28 CFR Part 32

Administrative practice and procedure, Claims, Disability benefits, Law enforcement officers.

For the reasons set out in the preamble, the Bureau of Justice Assistance proposes to amend 28 CFR part 32 as follows:

PART 32—PUBLIC SAFETY OFFICER'S DEATH AND DISABILITY BENEFITS

1. The authority citation for Part 32 continues to read as follows:

Authority: Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3711 *et seq.*)

Subpart B—[Amended]

2. The heading of Subpart B is amended by revising ''Federal Law Enforcement Dependents'' to read ''Public Safety Officers' Educational''.

3. Section 32.31 is revised to read as follows:

§ 32.31 Purpose.

This subpart implements the Federal Law Enforcement Dependents Assistance Act of 1996, as amended by the Police, Fire, and Emergency Assistance Act of 1998, which authorizes the payment of financial assistance for the purpose of higher education to the dependents of public safety officers who are found, under the provisions of subpart A of this part, to have died as a direct and proximate result of a personal injury sustained in the line of duty, or to have been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty.

4. Section 32.32 is amended by revising paragraphs (a),(b)(3),(c),(d), and (f) to read as follows:

§ 32.32 Definitions.

* * * * *

(a) *The Act* means the Federal Law Enforcement Dependents Assistance Act of 1996, Pub. L. 104–238, Oct. 3, 1996, as amended by the Police, Fire, and Emergency Assistance Act of 1998, Pub. L. 104–238, codified as Subpart 2 of Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3796d *et seq.*

(b) * * *

(3) *PSOEA* means the Public Safety Officers' Educational Assistance program administered by the Bureau under this subpart.

(c) *Public safety officer* is an officer as defined in § 32.2(j), with respect to whom PSOB benefits have been approved under subpart A of this part on account of the officer's death or disability in the line of duty.

(d) *Child* means any person who was the biological, adopted, or posthumous child, or the stepchild, of a public safety officer at the time of the officer's death or disabling injury with respect to which PSOB benefits were approved under subpart A of this part. A step-child must meet the provisions set forth in § 32.15.

(e) * * *

(f) *Dependent* means the child or spouse of any eligible public safety officer.

* * * * *

5. Section 32.33 is amended by revising paragraph(a)(1) to read as follows:

§ 32.33 Eligibility for assistance.

(a) * * *

(1) The child of any public safety officer with respect to whom PSOB benefits have been approved under subpart A of this part;

* * * * *

6. Section 32.34 is amended by revising paragraph (b)(2) to read as follows:

§ 32.34 Application for assistance.

* * * * *

(b) * * *

(2) In the case of a disabled public safety officer approved for PSOB benefits under subpart A of this part, applicants for assistance under this subpart must submit birth or marriage certificates or other proof of relationship consistent with §§ 32.12 (spouse) and 32.13 (child), if such evidence had not been submitted with respect to the PSOB claim.

* * * * *

§ 32.35 [Amended]

7. Section 32.35(a) is amended by inserting ''or permanently and totally disabled in the line of duty on or after October 3, 1996, and each dependent of a public safety officer killed in the line of duty on or after October 1, 1997'' after ''1992.''

8. Section 32.37 is amended by revising paragraph (c) and adding a new paragraph (d) to read as follows:

§ 32.37 Determination of benefits.

* * * * *

(c) Benefits payable under this subpart shall be in addition to any other benefit that may be due from any other source, except that, if the PSOEA assistance in combination with other benefits would exceed the total approved costs for the applicant's program of education, the assistance under this subpart will be reduced by the amount of such excess.

(d) Benefits will be calculated in such a manner so as to ensure those applicants who qualify for benefits, and who are in financial need, i.e. would be unable to attend a program of study at a qualified institution of higher education in the absence of the total benefit for which they qualify, receive priority in receiving the authorized assistance. Those qualified applicants who are in financial need, as determined by BJA, will receive an amount of benefits to which they are entitled, and which allow them to attend the approved program of study. Those qualified applicants whose attendance at a program of study at an institution of higher education is not contingent on the award of benefits under this part, may receive a reduced amount of benefits in the event that funds appropriated under this program are not sufficient to award all qualified applicants the total amount of benefits to which they are otherwise entitled.

Dated: May 14, 1999.

Nancy Gist,

Director, Bureau of Justice Assistance.

[FR Doc. 99–12855 Filed 5–24–99; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD13–99–008]

RIN 2115–AE47

Drawbridge Operations Regulations; Willamette River, OR

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the operating regulations for all the Multnomah County drawbridges and the Union Pacific drawbridge across the Willamette River at Portland, Oregon. The proposed amendment would extend by one half-hour each the morning and afternoon periods, Monday through Friday (except Federal or State holidays), that the draws need not open for the passage of vessels. These weekday draw-closure periods serve to relieve congestion at peak times for street traffic.

DATES: Comments must reach the Coast Guard on or before July 26, 1999.

ADDRESSES: You may mail comments to Commander (oan), Thirteenth Coast Guard District, 915 Second Avenue, Seattle, Washington, 98174–1067, or deliver them to room 3510 between 7:45 a.m. and 4:15 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Plans and Programs Section, Aids to Navigation and Waterways Management Branch, Telephone (206) 220–7272.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should identify this rulemaking (CGD 13–99–008) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgement of receipt of comments should enclose stamped, self-addressed envelopes or postcards. The Coast Guard will consider all comments received during the comment period. It may change the proposed rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Coast Guard include the reasons why a hearing would 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**.

Background and Purpose

The purpose of the proposed change to § 117.897 is to make the periods in which the draws need not open for the passage of vessels congruent with the periods of peak commuter street-traffic in Portland. The current closed periods are from 7 a.m. to 8:30 a.m. and 4 p.m. to 5:30 p.m., Monday through Friday, except for holidays. Traffic on highways and streets has increased in recent years in Portland. With the periods lengthened by a half-hour each, the closures coincide better with the actual periods of peak road travel. The lengthening of the periods by this modest amount should not unreasonably impede navigation. The Coast Guard has no record of complaints against the closed periods now in effect.

The bridges subject to this proposed change are the Broadway Bridge at mile