adjacent to the Air Station have been used increasingly by vessels as an anchorage. The flight paths of helicopters taking off and landing at the Air Station lie over these waters presenting the possibility that vessels may be damaged or even capsized by the rotor wash from the helicopters. In addition, the presence of sailboats, with their high masts near the landing areas, creates the need for the Coast Guard Pilots to use a steeper than normal approach path which is not in the interest of public safety.

The Coast Guard promulgated regulations which set forth the procedures for the establishment of safety zones for the protection of vessels, structures, and waters and shore areas. These regulations also provide for publishing specific safety zones when they have a continuing application (33 CFR Part 165, 42 FR 63369).

This safety zone will remain in effect at all times. All marine traffic in the vicinity will be prohibited from entering or remaining in this safety zone without the authorization from Captain of the Port, San Diego, California. This safety zone, which will be marked by buoys, will include the waters of San Diego Bay within approximately 100 yards of the Air Station heliport.

This rule will also disestablish a seaplane area (33 CFR 110.210(a)(2)), adjacent to the Air Station, in which the anchoring of vessels is prohibited. The area is unnecessary since the Coast Guard does not presently operate seaplanes out of San Diego and has no future plans to do so.

The Coast Guard has determined, in accordance with the Department of Transportation's "Regulatory Policies and Procedures" (44 FR 11034), that this amendment is nonsignificant and its impact is so minimal that an Evaluation is not warranted.

In consideration of the foregoing, Chapter I of Title 33, Code of Federal Regulations is amended as follows:

PART 110—ANCHORAGE REGULATIONS

§ 110.210 [Amended]

1. By revoking and reserving paragraphs (a)(2) and (b)(3) of § 110.210.

PART 165—SAFETY ZONES

2. By adding a new § 165.1101 in Subpart B to read as follows:

§ 165.1101 San Diego Bay, California.

(a) The waters of San Diego Bay enclosed by the following boundaries are a safety zone: A line beginning at latitude 32°43′37.2″N., longitude 117°10′45.0″W.; thence to latitude 32°43′36.2″N., longitude 117°10′41.5″W., thence to latitude 32°43′27.8″N., longitude 117°10′45.8″W.; thence to latitude 32°43′30.0″N., longitude 117°10′53.0″W.; thence to latitude 32°43′33.0″N., longitude 117°10′51.5″W.; thence along the boundary of Coast Guard Air Station, San Diego, to the point of beginning.

Note.—The northeast, southeast, and southwest corners of the safety zone are marked by white buoys with horizontal orange bands.

(38 Stat. 1053, 33 U.S.C. 471; 92 Stat. 1471, 33 U.S.C. 1225; 49 CFR 1.46(c)(1) and (n)(4); 33 CFR 105-1(g) and 165.100)

Dated: June 12, 1980.

A. P. Manning,

Rear Admiral, U.S. Coast Guard Commander, Eleventh Coast Guard District.

[FR Doc. 80-19336 Filed 6-25-80; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 162

[CGD 78-050]

Tows Navigating Pass Manchac, Louisiana

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending the Inland Waterways Navigation Regulations to restrict the length of tows navigating the bridges at Pass Manchac, Louisiana. Due to an extensive history of bridge and bridge fender rammings, including a loss of life in September 1976, the Coast Guard has determined that an especially hazardous situation exists at Pass Manchac. This amendment will minimize the hazard created by the arrangement of the permanent bridge structures, thereby enhancing the safety of navigation and the protection of life and property.

EFFECTIVE DATE: This amendment is effective on July 28, 1980.

FOR FURTHER INFORMATION CONTACT: Lieutenant (jg) George W. Molessa, Jr., Office of Marine Environment and Systems (G-WWM-2), Room 1608, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, DC 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION: On December 21, 1978, the Coast Guard published a proposed rule (43 FR 59524) concerning this amendment. On January 29, 1979, the Coast Guard published a supplementary notice of proposed rulemaking more accurately assessing the economic impact. Interested persons were given until March 28, 1979 to submit comments. Twelve written comments were received in response to the proposed rule. A public hearing was held on March 13, 1979 in New Orleans, Louisiana.

Drafting Information

The principal persons involved in the drafting of this document are: Lieutenant (jg) George W. Molessa, Jr., Project Manager, Office of Marine Environment and Systems, and Mr. Michael N. Mervin, Project Counsel, Office of the Chief Counsel.

Discussion of the Comments

Twelve comments were received in response to the notice. Seven comments objected, stating that the regulation was unnecessary since the continuous fender system had been installed. Three more comments objected, expressing that the added costs to the industry would be too burdensome. Two comments supported the proposal as published.

Once inside the continuous fender system, the tows, as well as the bridge structures, are protected from serious damage. However, vessel operators must still properly align their tows with the entrance to the fender system prior to entry. With predominantly strong and changing currents, aligning the tows with the entrance is a most difficult task. Furthermore, the longer the tow, the more difficult it is to control. Any error in judgement or timing could easily put a tow out of alignment, jeopardizing safe entry into the fender system. For these reasons the Coast Guard maintains that limiting the length of tows is necessary to ensure safe navigation and the protection of life and property.

Recognizing that the cost to the industry needs to be balanced with the safety needs of the vessel operators and the continued vulnerability of the Pass Manchac bridges, the Commander, Eighth Coast Guard District, has recommended that the final rule be modified to allow longer tows to transit the bridges, lessening the impact.

Therefore, the final rule has been changed to permit tows longer than 400 feet (excluding the towboat) to transit the bridges. These tows would be permitted to do so only after requesting, and receiving, permission from the Captain of the Port (COTP), New Orleans. These longer tows would be permitted to transit the bridges only under certain conditions, such as daylight with a favorable current (westbound—slack water or ebb tide; eastbound—slack water or flood tide). It will be up to the discretion of that COTP whether or not to grant permission for such a tow to transit the bridge.

Evaluation

This regulation has been reviewed under the Department of Transportation's "Regulatory Policies and Procedures" (44 FR 11034). A Final Evaluation has been prepared and included in the public docket.

The Illinois Central Gulf Railroad bridgetender's logs indicate that from October 1976 to September 1977, an average of 14 tows per month would have had to comply with this regulation, had it already been in effect. If the industry complies by making extra roundtrips, the estimated cost is over $250,000 annually. If the industry complies by tripping the barges through the bridges, a procedure whereby one or two barges at a time are shuttled through the bridges, the estimated cost is $75,000 annually. The economic impact will be lessened somewhat when the COTP New Orleans permits longer tows to transit the bridges.

In consideration of the foregoing, Part 162 of Title 33 of the Code of Federal Regulations is amended as follows:

1. By adding a new § 162.75(b)(5)(vi) to read as follows:

§ 162.75 All waterways tributary to the Gulf of Mexico (except the Mississippi River, its tributaries, South and Southwest Passes and the Atchafalaya River) from St. Marks, Florida to the Rio Grande.

* * * * *

(b) * * *

(5) * * *

(vi) All tows navigating the Pass Manchac bridges in Louisiana are limited to no more than two barges, not to exceed a combined tow length of 400 feet (excluding the towboat). Vessel operators for tows exceeding these limits must request and receive permission from the COTP New Orleans prior to navigating the bridges. Requests should be made by telephoning the COTP at 504-589-7101. Any decision made by the COTP is final agency action.

* * * * *

(33 U.S.C. 1224; 49 CFR 1.46(n)(4))

J. B. Hayes,

Admiral, U.S. Coast Guard Commandant.

[FR Doc. 80-19337 Filed 6-25-80; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 251

National Forest System Land; Special Uses; Correction

AGENCY: Forest Service, USDA.

ACTION: Final rule; correction.

SUMMARY: USDA corrects typographical and editorial errors in the final rule on the National Forest System Land; Special uses, which appeared in the **Federal Register** on June 6, 1980, at 45 FR 38324 (FR Doc. 80-17204).

EFFECTIVE DATE: July 7, 1980.

FOR FURTHER INFORMATION CONTACT: William R. Boring, Forester, Lands Staff, Forest Service, USDA, P.O. Box 2417, Washington, DC 20013, (703/235-8107).

SUPPLEMENTARY INFORMATION: FR Doc. 80-17204, published June 6, 1980, contained several typographical and editorial errors. The following changes should be made:

1. In column three on page 38324, the references in the third sentence of the third full paragraph should read: "* * H.R. 13777 * * *" and "* * * Session, H 7619 * * *". The House bill was incorrectly shown as "H.R. 1377" and the page number of the Congressional Record as "77619".

2. In column two on page 38326, in the second paragraph under § 251.57, the eighth line should read: "* * * FLPMA does allow us to". The word "not" was inadvertently added.

3. In column one on page 38327, the sixth line of the table under Redesignation of Sections should be corrected to read: "251.1(b)(5) Reasonable rates; 251.56(f)(1)". This corrects the designation of the subparagraph in the second citation from "i" to "1".

4. In column two, and continuing in column three on page 38328, the third and fourth lines of paragraph (k) should be corrected to read: "* * * 1964, 78 Stat. 897, as amended, (16 U.S.C. 460l-6a(c)), for group activities, * * *". This corrects the citation for the Land and Water Conservation Fund Act.

5. In column two on page 38329, the third complete line under paragraph (e)(1)(iv)(E) should be corrected to read: "percentage of any class of voting stock". The "or" should have been "of".

6. In column one on page 38333, the three subparagraphs under paragraph (i) should be renumbered with the arabic numerals "(1)", "(2)", and "(3)". They were incorrectly numbered "(i)", "(ii)", and "(iii)".

Bob Bergland,

Secretary.

June 23, 1980.

[FR Doc. 80-19331 Filed 6-26-80; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

36 CFR Part 1227

Recreation Fees

AGENCY: Heritage Conservation and Recreation Service, Interior.

ACTION: Final rule.

SUMMARY: The Heritage Conservation and Recreation Service, with the consent of all Federal agencies involved, is amending 36 CFR 1227.9, Establishment of Recreation Use Fees. This amendment will allow the Department of the Interior land-managing agencies to establish recreation use fees, primarily emphasizing that such fees are comparable with other Federal, non-Federal public agencies and the private sector providing similar services and facilities located within the service area of the management unit. Other factors that will be considered, as provided by law, are the direct and indirect cost to the government, the benefits to the recipient, the public policy or interest served, the economic and administrative feasibility of collection, and other pertinent factors.

Agencies not within the Department of the Interior, who are also participating in this Federal Recreation Fee Program, will amend their Departmental regulations to set forth similar provisions. These agencies are the Corps of Engineers, the Tennessee Valley Authority, and the U.S. Forest Service.

EFFECTIVE DATE: This rule will become effective on June 26, 1980.

ADDRESS: For further information contact Jim Cook, Heritage Conservation and Recreation Service, 440 G Street NW, Room 236, Washington, D.C. 20243, (202) 343-7665.

SUPPLEMENTARY INFORMATION: The Federal Recreation Fee Program is a coordinated effort by the following land-managing agencies to uniformly establish and collect recreation fees as provided by 16 U.S.C. 460 1-6a.

1. National Park Service
2. Fish and Wildlife Service
3. Bureau of Land Management
4. Water and Power Resources Service
5. Corps of Engineers
6. Tennessee Valley Authority
7. U.S. Forest Service

The Federal Interagency Fee Task Force is composed of representatives from each of the listed agencies, with the Heritage Conservation and Recreation Service as the coordinating agency. This Task Force is responsible for maintaining comparability among fees and charges levied by the participating Federal land-managing agencies for outdoor recreation purposes.

Until amended, a recreation fee schedule was provided in the Department of the Interior regulations which set forth fee ceilings for specific types of recreation facilities and services. At the time the regulations were written (1974), it seemed reasonable to set such ceilings.

In recent years, concern has been expressed by the seven land-managing agencies regarding the fee ceilings.

The agencies have indicated that unless the ceilings are deleted from the regulations, charging fees comparable with Federal and non-Federal *public* agencies, as allowed by law, would not be possible in some areas of the United States. On July 20, 1979, a meeting of the Federal Interagency Recreation Fee Task Force was held in an attempt to resolve this problem. Consensus on amending the regulations allowing consideration of comparability instead of fee ceilings was achieved.

On January 21, 1980, the proposed rule was published in the **Federal Register** (45 FR 3924) allowing for a thirty day comment period. During this period, three written comments were received and were considered in the final determination. To better clarify the intent of the legislation, the comparability requirement was expanded to include the private sector.

It is important to note that the deletion of fee ceilings will not of itself result in increased fees and charges. It does permit establishment of comparable fees as allowed by law. Fees may increase or decrease in some areas of the United States to the extent that comparability will be achieved with Federal, non-Federal *public* agencies and the private sector. Fees and charges will vary throughout the country depending on the local governmental and private sector units providing recreation services.

No major national or regionwide impact on local governments is expected or intended. Interstate relations are anticipated to improve as a result of this amended rule. For example where Federal lands are bisected by State lines, comparable fees will be established according to other nearby Federal, non-Federal *public* agency and private sector recreation fees for similar services. The ceilings used prior to this amendment did not provide the flexibility needed to adjust fees and achieve comparability.

The intent of this amendment is to authorize the establishment of comparable fees, both locally and regionwide, for recreation services. In January of 1973, an Environmental Assessment was prepared by the Bureau of Outdoor Recreation. In this report, the potential environmental impacts resulting from the issuance of recreation for Federal Recreation fees was considered and found to be insignificant, therefore no Environmental Impact Statement is required for these proposed regulations under the National Environmental Policy Act, 42 U.S.C. 4321 et seq.

Inflationary impacts have also been considered. The Council on Wage and Price Stability has indicated that Federal agencies charging recreation fees would have the potential to be excepted from the voluntary price control standard. The reason for this is that the Land and Water Conservation Fund Act, as amended, precedes the voluntary price control standards. In addition, the fees collected by the Federal land-managing agencies amount to less than 10% of the total cost of providing recreation services funded out of general tax receipts and, therefore, are excepted from the standards.

It should be understood that the Land and Water Conservation Fund States that "Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1974, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees which are collected by any Federal agency shall be covered into a special account in the Treasury of the United States to be administered in conjunction with, but separate from, the revenues in the Land and Water Conservation Fund. . . . Revenues in the special account shall be available for appropriation, without prejudice, to appropriations for other sources for the same purposes, for any authorized outdoor recreation function of the agency by which the fees were collected."

Note.—The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

The primary author of this document is Mr. Brian Romanek, Division of Federal Lands Planning, Heritage Conservation and Recreation Service, 440 G Street NW, Washington, D.C. 20243, (202) 343-7665.

In consideration of the foregoing, it is proposed to amend 36 CFR Chapter XII, § 1227.9 as follows:

§ 1227.9 Establishment of recreation use fees.

(a) Recreation use fees shall be established by all outdoor recreation administering agencies of the Department of the Interior in accordance with the following criteria:

(1) The direct and indirect cost to the government,

(2) The benefit to the recipient,

(3) The public policy or interest served,

(4) The comparable recreation fees charged by other Federal agencies, non-Federal public agencies and the private sector located within the service area of the management unit at which the fee is charged,

(5) The economic and administrative feasibility of fee collection, and

(6) Other pertinent factors.

(b) With the approval of the Secretary of the Interior recreation use fees may be established for other types of facilities in addition to those which are listed below.

(c) Types of recreation facilities for which use fees may be charged:

Tent, trailer and recreation vehicle sites [1]
Group camping sites [1 2]
Specialized boat launching facilities and services [3]
Lockers
Boat storage and handling
Elevators
Ferries and other means of transportation
Bathhouses
Swimming pools
Overnight shelters
Guided tours
Electrical hook-ups
Vehicle and trailer storage
Rental of nonmotorized boats
Rental of motorized boats
Rental of hunting blinds
Reservation services
Specialized sites (highly developed)

[1] Provided, That in no event shall there be a charge for the use of any campsite and adjacent related facilities unless the campground in which the site is located has all of the following: Tent or trailer spaces, drinking water, access road, refuse containers, toilet facilities, personal collection of the fee by an employee or agent of the bureau operating the facility, reasonable visitor protection, and simple devices for containing a campfire (where campfires are permitted).

[2] The administering agency may establish a group use rate in lieu of the above "Group Camping Sites" recreation use fee in accordance with the criteria set out in this section provided such rate is not less than $3.00 per day per group. Such a group use rate may constitute either a special recreation permit fee or a recreation use fee as determined by the administering agency.

[3] Use fees for boat ramps are prohibited. However, in the case of boat launching facilities with specialized facilities or services, such as mechanical or hydraulic lifts, reasonable fees may be assessed in accordance with the criteria set out in a paragraph (a) of this section.

Dated: June 19, 1980.
Chris Therral Delaporte,
Director, Heritage Conservation and Recreation Service.

[FR Doc. 80-19311 Filed 6-25-80; 8:45 am]
BILLING CODE 4310-03-M

VETERANS ADMINISTRATION

38 CFR Part 17

Medical Benefits, Women's Air Forces Service Pilots

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: The VA (Veterans Administration) has amended its "Medical Series" of regulations to indicate that service in the WASPS (Women's Air Forces Service Pilots), or other similar group(s) may be considered active duty for the purpose of VA medical benefit entitlement when the Secretary of Defense certifies and issues a discharge under honorable conditions. This amendment implements law.

EFFECTIVE DATE: November 23, 1977.

FOR FURTHER INFORMATION CONTACT: Joseph F. Fleckenstein (202-389-2989).

SUPPLEMENTARY INFORMATION: On pages 6957 and 6958 of the Federal Register of January 31, 1980, there was published a proposed amendment to § 17.31 concerning service in the Women's Air Forces Service Pilots. Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed amendment. No written comments were received. However, one suggestion for clearer and more precise language in § 17.31(b)(7)(ii) was received. This change is reflected in the final regulation.

This proposed amendment is hereby adopted with one change and is set forth below.

Approved: June 19, 1980.

By direction of the Administrator.

Rufus H. Wilson,
Deputy Administrator.

In § 17.31, paragraph (b)(7) is added to read as follows:

§ 17.31 Duty periods defined.

Definitions of duty periods applicable to eligibility for medical benefits are as follows:

* * * * *

(b) *Active duty.* The term "active duty" means

* * * * *

(7) Service of any person as a member of the Women's Air Forces Service Pilots, or the service of any person in any similarly situated group the members of which rendered service to the Armed Forces of the United States in a capacity considered civilian employment or contractual service at the time such service was rendered, when the Secretary of Defense has:

(i) Determined that the service of such group constitutes active military service, and

(ii) Issued such person who is a member of such group a discharge from such service under honorable conditions. (Pub. L. 95-202, 91 Stat. 1433).

[FR Doc. 80-19314 Filed 6-25-80; 8:45 am]
BILLING CODE 8320-01-M

38 CFR Part 21

Veterans Education; Approval of Courses

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: The regulation states the conditions which must exist before the Veterans Administration can approve the enrollment of veterans and eligible persons in a course within 2 years of the day on which the school offering the course has changed ownership or management.

The law provides that, with some exceptions, a course must be offered for 2 years before the Veterans Administration can approve the enrollment of veterans and eligible persons in it, thus allowing them to receive educational assistance. Veterans Administration policy has been that if a school changes ownership or management and remains the same as to faculty, student body and courses offered, those courses would not again be subject to the 2-year operation requirement. It has not been made clear to the public that courses would have to meet the 2-year operation requirement if the new owner does not acquire all, or substantially all, of the school's assets and liabilities. This amendment to the regulation corrects this.

EFFECTIVE DATE: June 18, 1980.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Policy and Program Administration, Education and Rehabilitation Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420, (202-389-2092).

SUPPLEMENTARY INFORMATION: On pages 61619 and 61620 of the Federal Register of October 26, 1979 there was published a notice of intent to amend part 21 to more fully state the criteria for approval of courses after a school has changed ownership.

Interested persons were given 30 days in which to submit comments, suggestions or objections regarding the proposal. The Veterans Administration received four letters containing comments and suggestions.

One person found the change useful and urged that it be adopted.

One commenter found the requirement that a new owner acquire all, or substantially all, of a school's assets too difficult, and stated that it would discourage changes of ownership. He and another commenter also believed that assuming responsibility for all, or substantially all, of the outstanding debts was too burdensome. They proposed remedies to eliminate these requirements. One person proposed replacing these requirements with requirements the Commissioner of Education has adopted in connection with continued eligibility for title IV funds for determining whether a school has changed ownership. These requirements are found in 45 CFR 168.18(a). Failing that, one person suggested fully defining the term "substantially all."

The Veterans Administration recognizes the need for Federal agencies to have uniform regulations whenever possible. However, Federal agencies administer different sections of the United States Code. The sections often have different purposes and sometimes necessitate different regulations.

Section 21.4251(e), Title 38, Code of Federal Regulations recognizes that a school entity may remain the same during a change of ownership. In these instances the 2-year operation requirement of 38 U.S.C. 1789 need not be applied. In order to ensure that the school entity offering an approved course remains the same the Veterans Administration believes that the new owner should acquire all, or substantially all, of the school's assets and liabilities. However, the Veterans Administration is sympathetic to the viewpoints of the commenters. The final regulation, therefore, is restricted to those assets and liabilities directly related to a school's educational activities. A school's assets or liabilities related to noneducational, income-producing investments, for example, would not have to be acquired by a new owner.

The Veterans Administration also realizes that often many purposes can be accomplished through precise definitions. Sometimes, however, equitable decisions can best be made