J-192 [Revised]

From Goodland, KS, Pawnee City, NE; to Iowa City, IA.

Issued in Washington, DC, on September 9, 1987.

Shelomo Wugalter,

Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 87-21645 Filed 9-17-87; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Under Secretary of the Navy: (1) Has determined that USS FORT FISHER (LSD-40) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special function as naval dock landing ship, and (2) has directed that certain naval ships and classes of ships be deleted from one of the tables in the existing Part 706. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 27, 1987.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Under Secretary of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS FORT FISHER (LSD-40) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, section 3(a), pertaining to the placement of the after masthead light and the horizontal distance between the forward and after masthead lights, without interfering with its special function as a naval dock landing ship. The Under Secretary of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Notice is also provided that the Under Secretary of the Navy has also determined that certain naval vessels and classes of vessels listed in the existing tables of 32 CFR 706.3 may be deleted from those tables since the exemptions from the 72 COLREGS listed in those tables for those vessels or classes of vessels have expired, and, where required, the current effective exemptions from the 72 COLREGS for those vessels or classes of vessels are now contained in the existing tables of 32 CFR 706.2. In addition, some of the vessels or classes of vessels being deleted are now in full compliance with the requirements of the 72 COLREGS, and others have been stricken from the Naval Vessel Register.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on USS FORT FISHER (LSD-40) in a manner differently from that prescribed herein will adversely affect the ship's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (Water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

2. Table Five of section 706.2 is amended by adding the following vessel:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, sec. 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masthead light less than ½ ship's length aft of forward masthead light. Annex I, sec. (3)(a)	Percentage horizontal separation attained
* * *		*	*	*	*	*	*		
USS FORT FISHER	LSD-40							X	46

§ 706.3 [Amended]

3. Table One of § 706.3 is amended by deleting the following Navy vessels or classes of vessels:

LCC-19 Class
LHA-1 Class
USS TULARE (LKA-112)
USS CHARLESTON (LKA-113)
USS PAUL REVERE (LPA-248)
USS FRANCIS MARION (LPA-249)
LPD-1 Class
LPH-2 Class
LSD-28 Class
LSD-36 Class
LST-1179 Class
AE-21 Class
AE-23 Class
AE-26 Class
AFS-1 Class
AO-51 Class
AOE-1 Class
AOR-1 Class
AD-14 Class
AD-26 Class
AD-37 Class
AD-41 Class
USS COMPASS ISLAND (AG-153)
USS POINT LOMA (AGDS-2)
USS LASALLE (AGF-3)
AR-5 Class
AR-28 Class
AS-11 Class
USS PROTEUS (AS-19)
AS-31 Class
AS-33 Class
AS-36 Class
USS NORTON SOUND (AVM-1)
AS-39 Class

Date: August 27, 1987.

Approved.

H. Lawrence Garrett III,

Under Secretary of the Navy.

[FR Doc. 87-21541 Filed 9-17-87; 8:45 am]

BILLING CODE 3810-AE-M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Parts 1, 2 and 5

Applicability of Regulations to Non-Federal Lands and Waters Under U.S. Legislative Jurisdiction

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: The National Park Service (NPS) is making an administrative change clarifying provisions in its general regulations that pertain to the applicability of certain regulations to non-federal lands and waters under the legislative jurisdiction of the United States. The existing wording has resulted in confusion and has generated questions concerning the original intent of the NPS in promulgating these particular regulations in 1983. The revised text clarifies the applicability of these regulations, without substantive change, and reflects the original intent of the NPS as expressed in the preamble of the earlier rulemaking.

EFFECTIVE DATE: October 19, 1987.

FOR FURTHER INFORMATION CONTACT: Andy Ringgold, National Park Service, Branch of Ranger Activities, P.O. Box 37127, Washington, DC 20013–7127, Telephone: 202–343–1360.

SUPPLEMENTARY INFORMATION:

Background

On June 30, 1983 the NPS published a major revision of its general regulations (see 48 FR 30252) that eventually went into effect on April 30, 1984, codified in Title 36 of the Code of Federal Regulations (36 CFR). Section 1.2 of that rulemaking addresses the applicability and scope of NPS regulations, providing generally that NPS regulations apply to all persons entering, using, visiting or otherwise within the boundaries of lands or waters administered by the NPS. Furthermore, paragraph (b) of this section reads as follows:

> (b) The regulations contained in Parts 1 through 7 of this chapter are not applicable on privately owned lands and waters (including Indian lands and waters owned individually or tribally) within the boundaries of a park area, except as may be provided by regulations related specifically to privately owned lands under the legislative jurisdiction of the United States.

The term "legislative jurisdiction" is defined in 36 CFR 1.4 to mean "lands and waters under the exclusive or concurrent jurisdiction of the United States", which, when applied to non-federal lands, means lands and waters over which the State has ceded some or all of its legislative authority to the United States. However, the meaning of the phrase "privately owned lands", although addressed in the preamble of the 1983 rulemaking, is not defined. The same phrase is used in ten general regulations codified in 36 CFR Part 2 and has been the subject of periodic questions since those regulations were promulgated. The ten regulations that apply on "privately owned lands and waters" within the exterior boundary of a park area that are under the legislative jurisdiction of the United States are:

1. Section 2.2 Wildlife protection.
2. Section 2.3 Fishing.
3. Section 2.4 Weapons, traps and nets.
4. Section 2.13 Fires.
5. Section 2.22 (a)(2), (b) and (c) Property.
6. Section 2.30 Misappropriation of property and services.
7. Section 2.31 Trespassing, tampering and vandalism.
8. Section 2.32 Interfering with agency functions.
9. Section 2.34 Disorderly conduct.
10. Section 2.36 Gambling.

The NPS emphasizes that these regulations apply only to those lands and waters under the legislative jurisdiction of the United States that are located *within* the exterior boundaries of a park area, not to lands or waters that might lie adjacent to such boundaries.

As indicated in the 1983 rulemaking, the NPS applied these regulations to "privately owned lands and waters" that are located within park boundaries and that are under the legislative jurisdiction of the United States in order to allow the NPS to respond to complaints from landowners concerning incidents such as disorderly conduct, fighting, hunting or discharging weapons, playing loud music or other disturbances, abandoned property, trespassing, tampering with private property, and gambling. The NPS determined that those provisions were the minimum necessary to protect non-federal property rights and ensure public safety for non-federal property owners, and it continues to hold that position. In the preamble discussion of that rulemaking (48 FR 30253, 30260 and 30261) the NPS indicated that the regulations that were made applicable on privately owned lands and waters under the legislative jurisdiction of the United States would apply on all lands and waters within a park area that were owned by private individuals, commercial entities or State agencies *and* over which the State had ceded either exclusive or concurrent jurisdiction to the United States.

The purpose of this rulemaking is to revise the text of the eleven regulations in 36 CFR Parts 1 and 2 that contain the phrase "privately owned lands and waters" or "privately owned lands" in order to clarify the NPS intent as clearly expressed in the preamble of the 1983 rulemaking. The NPS has determined that the phrase "privately owned lands" does not clearly encompass the full range of non-federal landowners originally intended. Accordingly, that phrase is being deleted from the regulations in question in favor of text that clarifies the fact that those regulations apply, regardless of land ownership, on lands and waters within a park area that are under the legislative jurisdiction of the United States.

The final rule also revises two nondiscrimination regulations in 36 CFR Part 5 that date from a 1966 rulemaking and that apply to commercial and private operations conducted within park areas. These regulations are:

1. Section 5.8 Discrimination in employment practices.
2. Section 5.9 Discrimination in furnishing public accommodations and transportation services.

These sections, which were inadvertently omitted from the proposed rule, both contain provisions that are applicable on "privately-owned lands" under the legislative jurisdiction of the United States. Their applicability provisions are being revised in the interest of consistency.

Summary and Analysis of Public Comments

A proposed rule was published in the **Federal Register** on April 14, 1987 (52 FR 12037) and a 30-day period provided for public review and comment. The NPS received four comments during this period, two each from State agency representatives and Federal agency representatives.

One State official urged that the language in the proposed rule not be adopted because it would result in the extension of NPS regulations to lands owned and administered by that agency within one unit of the National Park System. As discussed in the proposed rule and reemphasized in this rulemaking, the change in regulatory text is intended to be an editorial change, not a substantive change expanding the applicability of NPS

regulations. The NPS has carefully reviewed the proposal in its entirety and has determined that no expansion of authority, applicability or scope has taken place. If the State-owned lands in question were under the legislative jurisdiction of the United States at the time, the June 30, 1983 NPS rulemaking that went into effect on April 30, 1984 made the ten regulations in 36 CFR Part 2 applicable to those lands on that date. The proposed rule of April 14, 1987 and this final rule have not affected that situation other than to clarify the fact that those regulations do apply on those State-owned lands. The fact that the State official raised this point lends additional weight to the NPS position that clarification of this regulation was necessary.

The second State official suggested that the definition of the term "legislative jurisdiction" codified in 36 CFR 1.4 be revised to clarify the fact that the jurisdiction of the United States is based upon that which has been clearly and expressly ceded to it by the State. Cession by a State is a common method by which the NPS acquires legislative jurisdiction within a park area and the only method by which jurisdiction over non-federal lands and waters may be acquired. However, acquisition of legislative jurisdiction by the United States may also take place by State consent pursuant to article I, section 8, clause 17 of the U.S. Constitution or by reservation at the time a State was admitted to the Union. Therefore, the extent of jurisdiction exercised by the United States does not in all cases depend on that which was ceded by the State. To define the term "legislative jurisdiction" in a way that would alter its common meaning and that would not apply in all cases in which the term might be used would create unnecessary confusion. For this reason, the NPS has not adopted the suggested revision in regulatory text but has explained the issue in greater detail.

Both Federal agency officials expressed concern that this rulemaking might extend NPS jurisdiction over certain Indian Trust Lands administered by that agency. However, the examples used to illustrate this concern all consisted of reservation lands located *adjacent* to boundaries of certain park areas, not *within* their boundaries. NPS general regulations apply only as specified in the Code of Federal Regulations; there are no provisions that make NPS regulations applicable on lands or waters outside the boundaries of a park area unless those lands or waters are owned by, administered by or subject to the jurisdiction of the NPS. The NPS neither owns, nor administers nor has jurisdiction over Indian Trust Lands located adjacent to the boundaries of any park area, although several park areas and Indian reservations do share common boundaries. The regulations that are the subject of this rulemaking do not apply on such lands, nor do they extend the applicability of other NPS regulations to those lands.

One Federal agency official also suggested that the proposed rule had raised more questions than it had resolved concerning the status of Indian Trust Lands. The NPS has attempted to remove any remaining confusion by revising slightly the text of 36 CFR 1.2(b) in the final rule to clarify the applicability of NPS regulations on individually-owned or tribally-owned Indian lands.

Certain specified NPS regulations apply on non-federally owned lands *and* on the specified Indian lands, but only if they are located *within* the boundaries of a park area and only if those lands are under the legislative jurisdiction of the United States.

The regulatory text of the proposed rule has not been revised otherwise as a result of the public comments received. The only other differences in the final rule result from the inclusion of the two regulations in 36 CFR Part 5 that were inadvertently omitted from the proposed rule.

Drafting Information

The primary author of this rulemaking is Andy Ringgold of the NPS Division of Ranger Activities.

Paperwork Reduction Act

This rulemaking does not contain information collection requirements that require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Compliance With Other Laws

The Department of the Interior has determined that this document constitutes an administrative change, not subject to the provisions of Executive Order 12291, and certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rulemaking has no economic effect since it is a clarification only and neither removes substantive restrictions nor imposes new ones.

The NPS has determined that this rulemaking will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

(a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;

(b) Introduce noncompatible uses which might compromise the nature and characteristics of the area, or cause physical damage to it;

(c) Conflict with adjacent ownerships or land uses; or

(d) Cause a nuisance to adjacent owners or occupants.

Based in this determination, this rulemaking is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental regulations in 516 DM 6, (49 FR 21438). As such, neither an Environmental Assessment nor an Environmental Impact Statement has been prepared.

List of Subjects

36 CFR Part 1

National parks, Penalties, Reporting and recordkeeping requirements, Signs and symbols.

36 CFR Part 2

Environmental protection, National parks, Reporting and recordkeeping requirements.

36 CFR Part 5

Alcohol and alcoholic beverages, Business and industry, Civil rights, equal employment opportunity, National parks, Transportation.

In consideration of the foregoing, 36 CFR Chapter I is amended to read as follows:

PART 1—GENERAL PROVISIONS

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

Authority: 16 U.S.C. 1, 3, 9a, 462*l*–6a(e), 462(k); D.C. Code 8–137 (1981) and D.C. Code 40–721 (1981).

2. In § 1.2, by revising paragraph (b) to read as follows:

§ 1.2 Applicability and scope.

* * * * *

(b) Except for regulations containing provisions that are specifically applicable, regardless of land ownership, on lands and waters within a park area that are under the legislative jurisdiction of the United States, the regulations contained in Parts 1 through 5 and Part 7 of this chapter do not apply on non-federally owned lands and waters or on Indian lands and waters owned individually or tribally within the boundaries of a park area.

* * * * *

PART 2—RESOURCE PROTECTION, PUBLIC USE AND RECREATION

3. The authority citation for Part 2 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 462(k).

4. In § 2.2, by revising paragraph (g) to read as follows:

§ 2.2 Wildlife protection.

* * * * *

(g) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

5. In § 2.3, by revising paragraph (g) to read as follows:

§ 2.3 Fishing.

* * * * *

(g) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

6. In § 2.4, by revising paragraph (g) to read as follows:

§ 2.4 Weapons, traps and nets.

* * * * *

(g) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

7. In § 2.13, by revising paragraph (d) to read as follows:

§ 2.13 Fires.

* * * * *

(d) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

8. In § 2.22 by revising paragraph (d) to read as follows:

§ 2.22 Property.

* * * * *

(d) The regulations contained in paragraphs (a)(2), (b) and (c) of this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

9. In § 2.30, by revising paragraph (b) to read as follows:

§ 2.30 Misappropriation of property and services.

* * * * *

(b) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

10. In § 2.31, by revising paragraph (b) to read as follows:

§ 2.31 Trespassing, tampering and vandalism.

* * * * *

(b) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

11. In § 2.32, by revising paragraph (b) to read as follows:

§ 2.32 Interfering with agency functions.

* * * * *

(b) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

12. In § 2.34, by revising paragraph (b) to read as follows:

§ 2.34 Disorderly conduct.

* * * * *

(b) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

13. In § 2.36, by revising paragraph (b) to read as follows:

§ 2.36 Gambling.

* * * * *

(b) This regulation applies, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

PART 5—COMMERCIAL AND PRIVATE OPERATIONS

14. The authority citation for Part 5 is revised to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 462(k).

15. In § 5.8, by revising paragraph (c) to read as follows:

§ 5.8 Discrimination in employment practices.

* * * * *

(c) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

16. In § 5.9, by revising paragraph (c) to read as follows:

§ 5.9 Discrimination in furnishing public accommodations and transportation services.

* * * * *

(c) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

* * * * *

Susan Recce,

Acting Assistant Secretary for Fish and Wildlife and Parks.

Date: August 25, 1987.

[FR Doc. 87-21570 Filed 9-17-87; 8:45 am]

BILLING CODE 4310-70-M

VETERANS ADMINISTRATION

DEPARTMENT OF DEFENSE

38 CFR Part 21

Veterans Education; Increase in Rates Payable in the Educational Assistance Test Program

AGENCY: Veterans Administration and Department of Defense.

ACTION: Final regulations.

SUMMARY: The law provides that rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program shall be adjusted annually based upon the average actual cost of attendance at public institutions of higher education in the 12-month period since the rates were last adjusted. After consultation with the Department of Education, the Department of Defense has concluded that these rates should be increased by 6.1 percent. The regulations dealing with these rates are adjusted accordingly.

EFFECTIVE DATE: October 1, 1986.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Education Policy and Program

Administration, Vocational Rehabilitation and Education Service (225), Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233–2092.

SUPPLEMENTARY INFORMATION: On pages 3288 and 3289 of the **Federal Register** of February 3, 1987, there was published a proposal to amend 38 CFR Part 21 to increase the rates of educational assistance and subsistence allowance payable under the Educational Assistance Test Program. Interested people were given 30 days to submit comments, suggestions and objections.

The Veterans Administration (VA) and Department of Defense (DOD) received no comments, suggestions or objections. Accordingly, the agencies are making the proposal final without change.

These increases are effective October 1, 1986. Retroactive effect is warranted because these changes are liberalizing, and because they are interpretative rules which implement and construe the meaning of a law. Moreover, there is good cause for a retroactive effective date of October 1, 1986. Such a date facilitates implementation of 10 U.S.C. 2145 which requires annual adjustments in educational assistance.

The VA and DOD have determined that these amended regulations do not contain a major rule as that term is defined by E.O. 12291, entitled Federal Regulation. The regulations will not have a $100 million annual effect on the economy, and will not cause a major increase in costs or prices for anyone. They will have no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Administrator of Veterans Affairs and the Secretary of Defense have certified that these amended regulations will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. Pursuant to 5 U.S.C. 605(b), the amended regulations, therefore, are exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

This certification can be made because the regulations make adjustments required by law, and because they affect only rates payable to individuals. No regulatory, administrative, or paperwork burdens are imposed on any type of small entities.

There is no Catalog of Federal Domestic Assistance number for the program affected by these regulations.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs-education, Loan programs-education, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: June 24, 1987.

Thomas K. Turnage,

Administrator.

Approved: July 27, 1987.

A. Lukeman,

Lieutenant General, USMC, Deputy Assistant Secretary (Military Manpower and Personnel Policy).

38 CFR Part 21, *Vocational Rehabilitation and Education*, is amended as follows:

PART 21—[AMENDED]

1. In § 21.5820 the introductory text of paragraph (b), paragraphs (b)(1)(ii)(A) and (b)(1)(ii)(B), and paragraphs (b)(2)(ii)(A) and (b)(2)(ii)(B) are revised to read as follows:

§ 21.5820 Educational assistance.

* * * * *

(b) *Amount of educational assistance.* The amount of educational assistance may not exceed $1,560 per standard academic year, adjusted annually by regulation.

(Authority: 10 U.S.C. 2143)

(1) * * *

(ii) * * *

(A) Multiplying the number of whole months in the enrollment period by $173.33 for a full-time student or by $86.67 for a part-time student;

(B) Multiplying any additional days in the enrollment period by $5.77 for a full-time student or by $2.88 for a part-time student; and (10 U.S.C. 2143).

* * * * *

(2) * * *

(ii) * * *

(A) Multiplying the number of whole months in the enrollment period by $173.33 for a full-time student or by $86.67 for a part-time student;

(B) Multiplying any additional days in the enrollment period by $5.77 for a full-time student or by $2.88 for a part-time student; and (10 U.S.C. 2143).

* * * * *

2. In § 21.5822 paragraphs (b)(1)(i) and (b)(1)(ii) and paragraphs (b)(2)(i) and (b)(2)(ii) are revised to read as follows:

§ 21.5822 Subsistence allowance.

* * * * *

(b) * * *

(1) * * *

(i) If a person is pursuing a course of instruction on a full-time basis, his or her subsistence allowance is $389 per month, adjusted annually by regulation.

(ii) If a person is pursuing a course of instruction on other than a full-time basis, his or her subsistence allowance is $194.50 per month.

(Authority: 10 U.S.C. 2144)

* * * * *

(2) * * *

(i) The VA shall determine the monthly rate of subsistence allowance payable to a person for a day during which he or she is pursuing a course of instruction full-time by dividing $389 per month by the number of the deceased veteran's dependents pursuing a course of instruction on that day.

(ii) The VA shall determine the monthly rate of subsistence allowance payable to a person for a day during which he or she is pursuing a course of instruction on other than a full-time basis by dividing $194.50 per month by the number of the deceased veteran's dependents pursuing a course of instruction on that day.

(Authority: 10 U.S.C 2144)

* * * * *

[FR Doc. 87–21567 Filed 9–17–87; 8:45 am]

BILLING CODE 8320–01–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6762]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities