

revenue data relevant to their 1987 annual charges bills. They request to be reimbursed by lump-sum cash refunds for the amount by which their July 1987 annual charges payments exceed the revised bills as adjusted to remove intrastate transportation revenues. Eureka paid \$5,656 on a total revenue base of \$7,707,786 (as required by the final rule) rather than on the interstate revenue base of only \$143,779 (a corrected requirement set forth in the rehearing order). National Transit paid \$1,026 on a total revenue base of \$1,398,413 rather than the interstate revenue base of \$829,630. Eureka and National Transit argue that they should receive their refunds in a lump sum now because it would take them a long time to recoup these overpayments through credits to future annual charges bills (the method established in this proceeding for reimbursement of overpayments).

The Commission agrees that some lump-sum payment is appropriate for oil pipelines whose 1987 annual charges will be drastically reduced by the adjustment to the revenue base used to compute annual charges. However, the Commission does not believe that a lump-sum payment for the entire overpayment is appropriate. The 1987 annual charges bills will be recomputed by July 1988 to take into account both the new data received from the companies in response to the data requests in the rehearing order, and also to take into account the Commission's own actual year-end cost. This recomputation will result in oil pipelines receiving credits or debits to their 1988 annual charge bills equal to their overpayment or underpayment of their share of the Commission's 1987 expenses. The Commission will, at that time, make a lump-sum payment to each oil pipeline whose overpayment exceeds its 1988 annual charge bill.⁹ The refund will be for the amount by which the overpayment exceeds the 1988 bill. These oil pipelines will recoup the remainder of the overpayment through credits to their 1988 annual charges bills, just as other pipelines do.

Based on tentative data currently available to the Commission, nine companies (including Eureka) will

receive refund checks.¹⁰ National Transit would not be eligible for such a refund check because its estimated overpayment amount (\$291) would not exceed its estimated 1988 annual charge bill (\$735). National Transit will therefore recoup its entire overpayment through a credit to its 1988 annual charges bill.

D. Central Illinois Public Service Company

CIPSCO seeks clarification that the Commission did not preclude CIPSCO's capacity participation sales from being designated entirely as adjusted coordination sales for annual charges purposes. In the order on rehearing (Order No. 472-B), the Commission stated that capacity participation sales between an electric utility and its customers should not automatically be included in the adjusted coordination sales category for annual charges purposes. It used Central Illinois Public Service Company (CIPSCO) as an example. CIPSCO asks the Commission to clarify whether the decision on capacity participation sales applies only to CIPSCO's specific arrangements or instead to any electric utility's capacity participation sales. CIPSCO misconstrued the order. It did not intend to exclude all capacity participation sales from the adjusted coordination category for annual charges purposes. The Commission intended that all utilities with these types of transactions examine each component separately in light of the definitions of adjusted sales for resale and adjusted coordination sales and must place those components in the appropriate categories for annual charge purposes. The Commission was merely using CIPSCO's capacity participation sales for illustrative purposes.

IV. Paperwork Reduction Act Statement

The information collection provisions of this rule are being submitted to the Office of Management and Budget (OMB) for its approval under the Paperwork Reduction Act¹¹ and OMB's regulations.¹² Interested persons can obtain information on the information collection provisions by contacting the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426 (Attention: Ellen Brown, (202) 357-5311). Comments on the information collection provisions can be sent to the Office of Information

and Regulatory Affairs of OMB, New Executive Office Building, Washington, DC 20503 (Attention: Desk Officer for the Federal Energy Regulatory Commission).

If the information collection provisions in this rule do not receive OMB approval before the January 23, 1988 effective date, the information collection requirements will be suspended pending OMB approval. The public will be notified by notice in the *Federal Register* if suspension of the information collection requirements is necessary.

V. Effective Date

This order is effective immediately. The filing requirement becomes effective on January 23, 1988.

By the Commission.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-1302 Filed 1-21-88; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 389

[Docket No. RM87-15-000; Order No. 486]

Regulations Implementing the National Environmental Policy Act of 1969

Issued: January 15, 1988.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; notice of OMB control numbers.

SUMMARY: On December 10, 1987 the Federal Energy Regulatory Commission issued a final rule (Order No. 486) in Docket No. RM87-15-000, 52 FR 47897 (Dec. 17, 1987). The rule amended the Commission's regulations to adopt and supplement the regulations of the Council on Environmental Quality implementing the National Environmental Policy Act of 1969. This notice states that the Office of Management and Budget has approved the information collection requirements in Order No. 486.

EFFECTIVE DATE: January 15, 1988.

FOR FURTHER INFORMATION CONTACT: Sandra S. Vincent, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, (202) 357-8530.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act, 44 U.S.C. 3501-3520 (1982) and the Office of Management and Budget's (OMB) regulations, 5 CFR Part 1320 (1987), require that OMB approve certain information collection requirements

⁹ The volumetric data currently available to the Commission indicates that only two natural gas pipelines' and no electric entities' estimated overpayments exceed their 1987 estimated revised annual charges bills. Those two pipelines, listed in Appendix C, will receive refund checks based on the same principles as the refunds made to oil pipelines.

¹⁰ These companies are listed in Appendix C to this order. Actual refund amounts will not be known until the bills are recalculated.

¹¹ 44 U.S.C. 3501-3502 (1982).

¹² 5 CFR 1320.13 (1987).

imposed by agency rules. On January 11, 1988, the OMB approved the information collection requirements of 18 CFR Parts 2, 157, and 380 as amended by this rule under Control Numbers 1902-0060 and 1902-0128. Therefore, the final rule in Docket No. RM87-15-000 is effective January 16, 1988.

Accordingly, Part 389, Chapter X, Title 18, Code of Federal Regulations is amended as set forth below.

Lois D. Cashell,
Acting Secretary.

PART 389—OMB CONTROL NUMBERS FOR COMMISSION INFORMATION COLLECTION REQUIREMENTS

1. The authority citation for Part 389 continues to read as follows:

Authority: Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520 (1982).

§ 389.101 [Amended]

2. The Table of OMB Control Numbers in § 389.101(b) is amended by removing "2.82" in the Section Column and "0128" in the corresponding OMB Control Number Column and by adding in the Section Column "Part 380" below the existing entry "361.103" and adding in the corresponding OMB Control Number Column "0128".

[FR Doc. 88-1299 Filed 1-21-88; 8:45 am]

BILLING CODE 6717-01-M

DELAWARE RIVER BASIN COMMISSION

18 CFR Part 410

Amendment to Comprehensive Plan and Water Code of the Delaware River Basin

AGENCY: Delaware River Basin Commission.

ACTION: Final rule.

SUMMARY: At its January 13, 1988 business meeting the Delaware River Basin Commission amended its Comprehensive Plan and Water Code in relation to water conservation performance standards for plumbing fixtures and fittings. The amendment requires that all such standards adopted by the four Basin States or political subdivisions within the Basin comply with specified minimum standards for sink and lavatory faucets, shower heads, water closets, urinals and associated flushing mechanisms. Compliance dates are specified as are certain specialized fixtures and fittings not covered by the regulation. The regulation also requires certification by manufacturers that their plumbing fixtures and fittings comply with the

adopted water conservation performance standards. Periodic review of the performance standards and testing requirements will also be required to allow for incorporation of more stringent water conservation performance standards as technology advances. Finally, Pennsylvania municipalities seeking Commission approval or renewal must document that water conservation performance regulations consistent with this regulation have been adopted within their area of jurisdiction.

EFFECTIVE DATE: January 13, 1988.

ADDRESS: Copies of the Commission's Water Code are available from the Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628.

FOR FURTHER INFORMATION CONTACT: Susan M. Weisman, Commission Secretary, Delaware River Basin Commission: Telephone (609) 883-9500.

SUPPLEMENTARY INFORMATION: The Commission held a public hearing on this amendment on October 28, 1987 as noticed in the August 25, 1987 and October 21, 1987 issues of the *Federal Register* (52 FR, 32024 and 52 FR, 39266). Based upon testimony received and further deliberation, the Commission has amended its Comprehensive Plan and Water Code of the Delaware River Basin.

List of Subjects in 18 CFR Part 410

Water pollution control.

The Commission's Comprehensive Plan and Water Code of the Delaware River Basin, which are referenced in 18 CFR Part 410, are amended as follows:

PART 410—[AMENDED]

Article 2 of the Water Code of the Delaware River Basin is hereby amended by the addition of a new subsection 2.1.5 to read as follows:

2.1.5 Water Conservation Performance Standards for Plumbing Fixtures and Fittings

(1) (a) All water conservation performance standards for plumbing fixtures and fittings adopted by any signatory state or political subdivision within the Delaware River Basin shall comply with the following minimum standards:

(i) For sink and lavatory faucets, maximum flow shall not exceed three gallons of water per minute when tested in accordance with American National Standards Institute (ANSI) A112.18.1M; and

(ii) For shower heads, maximum flow shall not exceed three gallons of water per minute when tested in accordance with ANSI A112.18.1M; and

(iii) For water closets and associated flushing mechanism, maximum volume shall

not exceed an average of three and one-half gallons of water, but no more than four gallons per flushing cycle, when tested in accordance with the hydraulic performance requirements of ANSI A112.19.2M or ANSI A112.19.6M;

(iv) For urinals and associated flushing mechanism, maximum flow shall not exceed one and one-half gallons of water per flush when tested in accordance with the hydraulic performance requirements of ANSI A112.19.6M.

(b) Any water conservation performance standards adopted prior to the effective date of this regulation that are not in compliance with the provisions of (a) shall be amended or revised to comply with the provisions of (a) by January 1, 1990.

(c) The Commonwealth of Pennsylvania is encouraged to adopt water conservation performance standards for plumbing fixtures and fittings that comply with the provisions of (a) by January 1, 1989. In the absence of such regulations, municipalities within the Pennsylvania portion of the Basin that have not adopted regulations to enforce water conservation performance standards for plumbing fixtures and fittings shall be required to adopt regulations that comply with the provisions of (a) by January 1, 1990.

(2) (a) The performance standards of subsection (1) shall apply to plumbing fixtures and fittings installed in new construction and, where provided in state or local regulations, in existing structures undergoing renovations involving replacement of such fixtures and fittings.

(b) The performance standards of subsection (1) shall not apply to fixtures and fittings such as emergency showers, aspirator faucets, and blowout fixtures that, in order to perform a specialized function, cannot meet the standards specified in subsection (1).

(3) Manufacturers shall certify that their plumbing fixtures and fittings comply with the water conservation performance standards specified in subsection (1). Such certification shall be based on independent test results.

(4) The Executive Director shall periodically review the performance standards and testing requirements set forth in subsection (1) to determine their adequacy in light of advances in technology for water conservation fixtures and fittings. The results of such reviews, including any recommendations for more stringent water conservation performance standards, shall be presented to the Commission. An initial review shall be completed within one year of the effective date of this regulation. This initial review shall consider the revision of subsection (1)(a)(iii) to require that effective January 1, 1990, maximum volume for water closets shall not exceed one and six-tenths gallons (six liters) per flushing cycle when tested in accordance with the hydraulic performance requirements of ANSI A112.19.2M or ANSI A112.19.6M.

(5) Municipalities of the Commonwealth of Pennsylvania seeking permit approval or renewal under Section 3.8 of the Compact for water supply or wastewater discharge projects shall document that regulations consistent with subsection (1) have been

adopted within their area of jurisdiction. Such documentation shall be a condition for permit approval of renewal.

(Delaware River Basin Compact, 75 Stat. 688)

Susan M. Weisman,

Secretary.

January 14, 1988.

[FR Doc. 88-1183-Filed 1-21-88; 8:45 am]

BILLING CODE 5360-01-M

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 552

Regulations Affecting Military Reservations: Firearms and Weapons

AGENCY: Department of the Army, DOD.

ACTION: Final rule.

SUMMARY: This rule establishes the criteria for possessing, carrying, concealing, and transporting firearms and/or other deadly or dangerous weapons on the Fort Stewart/Hunter Army Airfield installations. The installation commander is required to enact this rule due to 32 CFR Part 552. This rule provides guidance on prohibited items and the requirements for possession, use, and storage under certain conditions for anyone (military or civilian) employed on, visiting, or traveling through or on the above installations.

DATE: Effective January 22, 1988.

ADDRESS: Comments should be sent to: Commander, 24th Infantry Division (Mechanized) and Fort Stewart, Attention: AFZP-JAA, Fort Stewart, Georgia 31314-5019.

FOR FURTHER INFORMATION CONTACT: CPT Richard Lubke (Principal Attorney), 912-767-2953, or CPT Dennis Wilde (Operations Officer), 912-767-4801.

SUPPLEMENTARY INFORMATION: The installation commander is responsible for the efficient and economical operation, service, and supply of personnel, units, and activities assigned to or under the jurisdiction of the 24th Infantry Division (Mechanized) and Fort Stewart, and for ensuring that reasonable precautions are taken to safeguard personnel and property within his command. The purpose of this rule is to establish guidelines for possessing, carrying, concealing, using, and transporting firearms and/or other deadly or dangerous weapons at Fort Stewart and Hunter Army Airfield. This rule specifically addresses what weapons or devices are prohibited, the penalties for noncompliance, the requirements for possession and use,

those persons subject to the rule, the disposition of confiscated/seized weapons, and those persons exempt from the rule. This rule is authorized by 10 U.S.C. 3012, 32 CFR Part 552, and Army Regulation 210-10, 1 November 1977, Installations Administration. The requirements of the rule will be monitored by installation law enforcement personnel, commanders, supervisors, and managers. One comment was received on the proposed rule published in the *Federal Register* December 16, 1986 (51 FR 44997). This final rule encompasses consideration thereof.

List of Subjects in 32 CFR Part 552

Guns, Weapons, Military reservations.

For the reasons set out in the preamble, Title 32, Chapter V, Part 552 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 552 continues to read as follows:

Authority: 5 U.S.C. 301, 10 U.S.C. 3012, 15 U.S.C. 1601, 18 U.S.C. 1382, 31 U.S.C. 71, 40 U.S.C. 258a, 41 U.S.C. 14, 50 U.S.C. 797.

2. Subpart G consisting of section 552.105 to 552.111 is redesignated as Subpart H.

3. A new Subpart G is added to read as follows:

PART 552—REGULATIONS AFFECTING MILITARY RESERVATIONS

Subpart G—Firearms and Weapons

Sec.	
552.98	Purpose.
552.99	Applicability.
552.100	Definitions.
552.101	Prohibitions.
552.102	Requirements for possession and use.
552.103	Requirements for carrying and use.
552.104	Disposition of confiscated/seized weapons.

Subpart G—Firearms and Weapons

§ 552.98 Purpose.

This regulation establishes the criteria for possessing, carrying, concealing, and transporting firearms and/or other deadly or dangerous weapons and instruments on Fort Stewart/Hunter Army Airfield (AAF) installations.

§ 552.99 Applicability.

(a) The provisions of this regulation apply to all Department of Defense (DOD) military; civilian personnel; U.S. Army Reserve/National Guard (USAR/NG) personnel on post for active duty training or inactive training in conjunction with Active Army elements,

military family members; civilians employed on, visiting, or traveling through or on the Fort Stewart/Hunter AAF installation.

(b) This regulation will not become void in its entirety merely because one part or portion thereof is declared unconstitutional or void.

(c) This regulation is punitive. Military violators of the regulations may be prosecuted under the Uniform Code of Military Justice or may be subject to administrative action. Civilian violators may be subject to administrative or judicial action under Title 18, United States Code, or Title 16, Criminal Code of Georgia.

§ 552.100 Definition.

(a) *Ammunition.* Projectiles together with their fuses, propelling charges, and primers that are designed to be expelled from a firearm. This includes any type of military and commercial ammunition (ball, tracer, incendiary, blank, shotgun, black powder, and shot). Items shall only be considered as ammunition when loaded into a cartridge with its bullets and primer.

(b) *BB and pellet guns.* Any type rifle, pistol or other instrument designed or redesigned, made or remade, modified or remodified to expel BBs or pellets by springs, compressed air, CO2 or any other compressed gas cartridge.

(c) *Dangerous instruments.* Any device which is designed or redesigned, made or remade, modified or remodified to be used as an offensive or defensive weapon. Devices of this type include but are not limited to:

(1) "Constant companion" or any similar weapon, designed or redesigned, made or remade, modified or remodified to be worn as a belt buckle, brass knuckles, "Knucklers," and "Knucks."

(2) Studded or spiked wrist bands, or any device designed or redesigned, made or remade, modified or remodified to fit over the hand or wrist which can be used to cause grave bodily harm.

(3) Black jacks, slapjacks, slappers, saps, including homemade substitutes, other bludgeons (with or without handles), and metal pipes.

(4) "Nanchaku" (num-chucks), two or more sticks connected by rope, cord or chain and normally used as a martial arts weapon. "Shuriken", a disc or any geometrical object designed to be thrown as a weapon. "Manrikigusari" or "Kusari," a rope or cord joined to a weight at each end and designed to be used as a weapon.

(5) Any finger ring with blades or sharp objects that are capable of being projected/extended from the surface of the ring.

(6) Any device capable and primarily intended for discharging darts or needles.

(7) All firearms.

(d) *Explosive, incendiary, and pyrotechnic devices.* Any type of military or commercial explosive, incendiary, gas or smoke bomb, grenade, rocket, missile, mine, blasting cap, "dummy" and/or practice device such as simulators, and other similar detonating devices which are capable of being altered to contain a live charge, and pyrotechnic devices such as firecrackers, cherry bombs, bottle rockets, and starclusters.

(e) *Firearms.* Any type of weapon which is designed or redesigned, made or remade, modified or remodified to expel a projectile by action of any explosion, and the frame or receiver of any such weapon. This does not include antique firearms, antique replicas, and those modern firearms which have been rendered permanently incapable of being fired.

(f) *Knives, sabers, swords, and machetes.* Any instrument having a sharp blade which is fastened to a handle, or made with a handle. Measurement of the blade will be from the tip of the blade to the point where the blade meets the handle. This includes folding knives, switchblades, gravity knives, stilettos, lock blade knives, swords, sabers, and machetes.

(g) *Machine gun and automatic weapon.* A weapon designed or redesigned, made or remade, modified or remodified to automatically fire more than one shot by a single pull of the trigger.

(h) *Public gathering.* Shall include, but shall not be limited to, athletic or sporting events, schools or school functions, churches or church functions, rallies, or establishments at which alcoholic beverages are sold for consumption on the premises.

(i) *Shotgun.* A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder, and designed or redesigned, made or remade, to use the energy or the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(j) *Sawed-off shotgun.* A shotgun or any weapon made from a shotgun whether by alteration, modification, or otherwise having one or more barrels less than 18 inches in length or if such weapon as modified has an overall length of less than 20 inches.

(k) *Sawed-off rifle.* A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder, and designed or

redesigned, made or remade, to use the energy of the explosive in a fixed metallic cartridge to fire only as a single projectile through a rifle bore for each single pull of the trigger; and which has a barrel or barrels of less than 16 inches or has an overall length of less than 26 inches.

(l) *Silencer.* Any device used for suppressing or diminishing the report of any firearm.

(m) *Weapon.* An instrument used in an offensive or defensive manner.

§ 552.101 Prohibitions.

(a) *Prohibited items.* It is prohibited to possess, carry, conceal, transport, store, transfer or sell any of the following weapons or devices on, through or within the confines of Fort Stewart and Hunter AAF installations unless specifically allowed elsewhere in this regulation:

(1) Sawed-off shotgun.

(2) Sawed-off rifle.

(3) Machine gun and automatic weapons.

(4) Silencers.

(5) Dangerous instruments as defined in § 552.100(c).

(6) Explosives, Incendiary and Pyrotechnic Devices, as defined in § 552.100(d).

(7) Knives with automatic blade openers (i.e., switch blades, gravity knives, stilettos) of any blade length. Folding or fixed bladed knives with a blade length of more than 3 inches. Swords, sabers, and machetes with sharpened blades.

(8) Any object which carries an electrical current of sufficient wattage to deliver a shock to a person, such as cattle prods, "taser" or "public defenders."

(b) *Carrying a concealed weapon.* A person commits the offense of carrying a concealed weapon when he/she knowingly has or carries about his/her person, unless in an open manner and fully exposed to view, any bludgeon, metal knuckles, firearm, or knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon or instrument of like character outside of his/her home or place of business.

(c) *Carrying Deadly Weapons to or at Public Gatherings.* A person commits an offense under this section when he/she carries to or while at a public gathering any explosive compound, firearm, or knife designed for the purpose of offense and defense. This paragraph shall not apply to competitors participating in organized sporting events, military personnel in a formation when a weapon is required, or to police/security

personnel while in performance of their duties.

(d) *Prohibited Possession and Storage.* It is prohibited for a person, military or civilian, to possess or store ammunition, firearms, knives with blades more than 3 inches, bows and arrows, crossbows, and BB and pellet guns, in locations other than those locations specified in § 552.102, except under conditions specified in § 552.103. Prohibited locations for these items include, but are not limited to, living spaces and common areas of billets, squad rooms, privately-owned vehicles, exterior storage sheds, camper trailers, and offices. Commanders will designate an arms room and times for weapons turn-in. During periods when arms rooms are closed, the Staff Duty Officer (SDO) will ensure the weapon is secured in accordance with (IAW) this regulation. A receipt will be given for each weapon received, reflecting the weapon's make, serial number, identity of owner and other data deemed appropriate.

(e) *Exemptions.* Nothing in this regulation shall prohibit:

(1) Military members or DOD civilian employees from possessing or using military weapons, military ammunition or explosives, or military devices in a lawful manner while in the performance of their military duties or for training or other authorized purposes, as prescribed by applicable Army Regulations.

(2) Military and DOD civilian personnel, while in the performance of official law enforcement duties, from possessing or using government ammunition, explosives or devices in a lawful manner, as prescribed by applicable laws or regulations or by their lawful superiors.

(3) Federal, state, county or local law enforcement personnel, while in the performance of official law enforcement duties, from possessing or using government or privately-owned weapons, ammunition, explosives or devices in a lawful manner, as prescribed by applicable laws or regulations or by their lawful superiors.

(4) Government contractors, while in performance of their contract from possessing or using weapons, ammunition, explosives or devices, IAW the provisions of their contract and as determined by the Contracting Officer.

(5) Individuals with Federal Firearms Licenses (Class III) from possessing, carrying, and transporting Class III weapons IAW Federal regulations; however, they are prohibited from concealing, storing, transferring, or selling Class III weapons within the confines of Fort Stewart and Hunter AAF.

(6) Individuals from possessing, carrying, transporting, or storing decorative, ornamental, and ceremonial swords and sabers within the confines of Fort Stewart and Hunter AAF when used strictly for display and ceremonies. When used as a cutting instrument, they become a prohibited item.

(7) Individuals and agencies from possessing, transporting, storing, selling, or using fixed bladed knives with a blade length of more than 3 inches when used for their lawful purpose (i.e., steak knives, cooking knives, hunting knives) and when in compliance with all other requirements in this regulation.

§ 552.102 Requirements for possession and use.

DOD military and civilian personnel, their family members, USAR/NG personnel and civilians employed on, visiting or traveling through this installation may possess legally-defined and privately-owned firearms, ammunition, BB and pellet guns, knives, bows and arrows, and crossbows under the following conditions:

(a) Privately-owned firearms, crossbows, BB and pellet guns possessed or stored on the installation must be registered at the installation Provost Marshal's Office within three working days after arrival on the installation, or after obtaining the weapon, except:

(1) Firearms legally brought onto the installation for the purpose of hunting or firing at an approved firing range, and only for the period of time the person possessing the firearms is hunting or firing on the range.

(2) Firearms carried by federal, state, county or local law enforcement personnel when in the performance of official law enforcement duties.

(3) Firearms carried or transported, in full compliance with Georgia State Laws, on Georgia State Highways 119 and 144 by personnel traveling through the installation only. Travel off of these state highways or stopping, other than for emergency purposes, while on the installation is prohibited.

(b) Personnel residing in family housing, BOQ, BEQ/VOQ and guest housing, may store legally-acquired, authorized ammunition, knives with a blade measuring more than 3 inches, bows and arrows, registered crossbows, registered BB and pellet guns and registered firearms within their quarters.

(c) Personnel residing in troop billets may store legally-acquired authorized ammunition, knives and blades measuring more than 3 inches, bows and arrows, registered crossbows, registered BB and pellet guns and registered firearms in unit arms rooms. The unit

arms room should utilize a standard weapons card and log book to document storage, removal, and return.

(d) Persons using weapons borrowed from another must have the documentation required in § 552.103(a) as applicable in their possession when carrying, transporting or using the weapon on the installation.

(e) Persons under the age of 17 must be accompanied by a person over the age of 21 who will be responsible for compliance with the requirements of this regulation while hunting or target shooting on the installation and when purchasing legal arms (including knives with blades over 3 inches) and ammunition from installation retail outlets.

(f) Persons must be in compliance with federal and state laws regarding possession (i.e., age, criminal record restrictions, etc.)

(g) Storage, accountability and registration procedures will be IAW Army Regulation 190-11 and supplements.

§ 552.103 Requirements for carrying and use.

Persons legally authorized to possess firearms, ammunition, knives (with blades longer than 3 inches), bows and arrows, and crossbows, may carry or transport legally possessed and registered (if required) weapons under the following conditions.

(a) For purposes of hunting: From quarters, on or off the installation, by the most direct route to hunting area or Pass and Permit Office and return. Stopping at other installation facilities while enroute is prohibited (i.e., Post Exchange, Club, offices, etc.). Individual must have in his/her possession weapon registration (if applicable), valid state hunting license, valid Fort Stewart hunting permit and an area access pass (if applicable).

(b) For purposes of target shooting, selling the weapon or having the weapon repaired: From quarters by the most direct route to approved range or to the location where the weapon is to be sold or repaired and returned. Stopping at other installation facilities while enroute is prohibited. Individual must have in his/her possession at all times his/her registration (if applicable).

(1) When carried, weapons will be carried in an open manner (not concealed). Firearms will be unloaded when carried (i.e., projectiles physically separated from the firearms, not just removed from the chamber), except when actually engaged in hunting or shooting. Knives will be carried in a sheath or scabbard worn in a clearly visible manner. Commanders may

authorize the carrying of a privately-owned knife with a blade over 3 inches to field duty, provided it is carried IAW Victory Standard and exposed in a sheath/scabbard. The Provost Marshal may authorize the carrying of a privately-owned, sheathed, lock blade knife on military and DOD police officers' pistol belts.

(2) When transported in a vehicle, weapons will be in plain view in the passenger area of the vehicle or secured (locked) in the trunk or other rear compartment of the vehicle, not readily accessible from the passenger area (i.e., locked tool box secured to bed of a truck). Firearms will be unloaded and the ammunition physically separated from the firearms. The glove compartment of a vehicle is *NOT* an authorized compartment for storing pistols.

(3) Firearms, bows and arrows, crossbows, BB and pellet guns will not be loaded, fired or used within the cantonment areas of the installation; within 50 yards of any public highway, street or Fort Stewart numbered road or across same; within 100 yards of any designated recreation area, managed waters, building or similar structures; any aircraft landing facility (to include currently used landing or stage fields); any ammunition storage area (except on approved firing range when properly authorized).

(4) Persons not affiliated with DOD or this installation must remain on Georgia State Highways 119 and 144 when carrying or transporting weapons through the installation and must be in full compliance with Georgia State Law governing possession, use and transportation of said weapons. Travel off of these highways or stopping, for other than emergency purposes, while on the installation, is prohibited.

§ 552.104 Disposition of confiscated/seized weapons.

All weapons, ammunition, explosives or other devices defined in this regulation, that are confiscated pursuant to the commission of a crime or violation of this or other regulation or found unsecured/unattended on the installation, will be immediately turned over to the military police, U.S. Army Criminal Investigation Command (USACIDC), or the Federal Bureau of Investigation (FBI) for investigation, retention as evidence, or other lawful disposition. When retention for investigation or evidence is no longer required by military police, USACIDC, or other law enforcement or judicial agencies, the items will be disposed of

under the provisions of AR 195-5, Evidence Procedures.

John O. Roach II,

Army Liaison Officer with the Federal Register.

[FR Doc. 88-1184 Filed 1-21-88; 8:45 am]

BILLING CODE 3710-08-M

VETERANS ADMINISTRATION

38 CFR Part 17

Transportation of Claimants and Beneficiaries

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The Veterans Administration (VA) is amending its medical regulations (38 CFR Part 17) by deleting references to the 100-mile radius for beneficiary travel. In place of the 100-mile radius provision, an \$11.00 deductible will be instituted for one way travel and a \$22.00 deductible will be imposed for round trip transportation. The VA is making this change to improve access to VA health care for veterans living in areas remote from VA facilities.

EFFECTIVE DATE: January 22, 1988.

FOR FURTHER INFORMATION CONTACT: Karen O. Walters, Chief, Policies and Procedures Division (136F), Department of Medicine and Surgery, Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233-2143.

SUPPLEMENTARY INFORMATION: Under the VA's beneficiary travel regulations, as amended on March 12, 1987, VA limited payments for beneficiary travel primarily to those requiring a special mode of transportation to get to a VA health care facility (e.g. ambulance) and to veterans residing more than 100 miles from a VA health care facility. The regulations provide that all travel payments to eligible veterans residing more than 100 miles from a VA facility will be subject to a deductible equal to 100 times the mileage rate established under 38 U.S.C. 111(e)(1) for a one-way trip, and 200 times the rate for a round trip. The mileage rate is 11 cents per mile resulting in a one-way deductible of \$11.00 and a round trip deductible of \$22.00. After implementation of the amended regulations, VA became aware of an inequitable situation in Hawaii in which veterans living less than 100 miles from a VA health care facility are unable to get to that facility without using costly public transportation, primarily commercial airlines. Thus, in Hawaii, veterans who live on outer islands less than 100 miles from a source

of VA health care must fly to receive health care. For many this is prohibitively expensive.

This amendment continues to place application on the deductible to beneficiary travel payments, but would eliminate the requirement that to be eligible for travel payments a veteran must reside more than 100 miles from a VA facility. It permits veterans living less than 100 miles from a facility to be reimbursed, subject to the deductible, for the costs of expensive public transportation which is necessary for them to get to a VA health care facility. For example, a veteran living on a small island in Hawaii 80 miles from the source of VA health care, could purchase a \$50.00 airline ticket to get to the source of VA health care, and be reimbursed for \$39.00, the cost of the ticket less the \$11.00 one-way deductible.

The VA has determined that compliance with 5 U.S.C. 553(b) as to prior publication for notice and public comment is, pursuant to 5 U.S.C. 553(b)(3), impracticable and contrary to the public interest. There exists good cause for making these regulations effective without further delay; the existing situation is inequitable for the few veterans who must incur expensive public transportation costs in order to obtain VA health care benefits. Accordingly, the amendment is being published as a final regulation.

This final regulation is considered non-major under the criteria of Executive Order 12291, Federal Regulation. It will not have an annual effect on the economy of \$100 million or more; will result in no significant increase in costs or prices for consumers, individuals, industries, Federal, State or local government agencies, or geographic regions. It will have no adverse effect 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 certifies that this regulation will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601 through 612. This certification can be made because this regulation affects only individual veterans and VA beneficiaries concerning VA payment for, or reimbursement of, their expenses for travel to or from VA medical facilities in certain circumstances.

The Catalog of Federal Domestic Assistance Numbers are 62.011 and 64.009.

List of Subjects in 38 CFR Part 17

Alcoholism, Claims, Dental health, Drug abuse, Foreign relations, Government contracts, Grants programs—health, Health care, Health facilities, Health professions, Incorporation by reference, Medical devices, Medical research, Mental health programs, Nursing homes, Philippines, Veterans.

Approved: July 22, 1987.

Thomas K. Turnage,
Administrator.

PART 17—[AMENDED]

38 CFR Part 17, *Medical*, is amended by revising the introductory text of § 17.100 to read as follows:

§ 17.100 Transportation of claimants and beneficiaries.

Transportation at Government expense may be authorized for an individual who is eligible under this section when a VA physician has determined that a specialized mode of transportation is medically required. Special modes of transportation which may be determined to be medically required include: ambulance, ambulette, air ambulance, wheelchair van, and other modes of transportation which are specially designed to transport certain types of medically disabled individuals. The term "special mode" does not include: public transportation such as bus, subway, train, airplane, or any automobile or similar conveyance. A hired car or taxi may be authorized as a special mode only for interfacility transfers, as authorized in paragraph (e) of this section, if use of such mode of transportation is less expensive than other authorized specialized modes of transportation. For veterans who must travel over 100 miles to reach a Veterans Administration medical care facility and for veterans for whom VA medical care is inaccessible via land transportation, transportation at government expense may also be authorized for eligible persons by application of a deductible. That deductible amount will be the product of the mileage reimbursement rate established under 38 U.S.C. 111(e)(1), multiplied by a factor of 100 for each one-way trip, or 200 for a round trip. Transportation will not be authorized for the cost of travel by privately owned vehicle in any amount in excess of the cost of such travel by public transportation unless public transportation is not reasonably accessible or would be medically inadvisable. Transportation will not be authorized for the cost of travel in