

the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### D. Federalism and Indian Tribal Government

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01, Rev.1, associated implementing instructions, and Environmental Planning Policy

COMDTINST 5090.1 (series) which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f). The Coast Guard has determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule promulgates the operating regulations or procedures for drawbridges and is categorically excluded from further review, under paragraph L49, of Chapter 3, Table 3-1 of the U.S. Coast Guard Environmental Planning Implementation Procedures.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

- 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05-1; and Department of Homeland Security Delegation No. 0170.1.

- 2. Revise § 117.297 to read as follows:

##### § 117.297 Little Manatee River.

The draw for the CSX Railroad Bridge, mile 2.4 near Ruskin, FL, shall operate as follows:

(a) The bridge is normally maintained in the closed position.

(b) The bridge is not tendered locally, but will be monitored and operated by a remote bridge tender.

(c) Marine radio communication shall be maintained, by the remote bridge tender, with mariners near the bridge for the safety of navigation. Visual monitoring of the waterway shall be maintained with the use of cameras. Detection sensors shall be installed for the detection of vessels within the radius of the swing span of the bridge.

(d) The draw must open on signal if at least three hours advance notice is requested via marine radio channel 9 VHF or telephone (813) 677-3974.

(e) The bridge shall not be operated from the remote location in the following events: Failure or obstruction of the detection sensors, cameras, or marine radio communications. In these situations, a bridge tender must be on-site and locally operate the bridge.

Dated: March 15, 2021.

**Eric C. Jones,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.*

[FR Doc. 2021-05770 Filed 3-22-21; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF TRANSPORTATION

### Great Lakes St. Lawrence Seaway Development Corporation

#### 33 CFR Part 401

**RIN 2135-AA49**

#### Seaway Regulations and Rules

**AGENCY:** Great Lakes St. Lawrence Seaway Development Corporation, DOT.  
**ACTION:** Final rule.

**SUMMARY:** The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with the SLSMC, the GLS is amending the joint regulations by updating the Regulations and Rules in various categories. The changes update the following sections of the Regulations and Rules: Interpretations; Condition of Vessels; Seaway Navigation; Dangerous Cargo; and Schedule II. These changes are to clarify existing requirements in the regulations. In addition, Congress renamed the Saint Lawrence Seaway Development Corporation (SLSDC) as the Great Lakes St. Lawrence Seaway Development Corporation (GLS) as part of the 2021 Consolidated Appropriations Act, signed into law on December 27, 2020. The joint regulations are being amended to reflect the name change.

**DATES:** This rule is effective on March 24, 2021.

**ADDRESSES:** For access to the docket to read background documents or comments received, go to <http://www.Regulations.gov>; or in person at the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-001, between 9

a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Carrie Mann Lavigne, Chief Counsel, Great Lakes St. Lawrence Seaway Development Corporation, 180 Andrews Street, Massena, New York 13662; 315/764-3200.

**SUPPLEMENTARY INFORMATION:** The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with the SLSMC, the GLS is amending the joint regulations by updating the Regulations and Rules in various categories. The changes update the following sections of the Regulations and Rules: Interpretations; Condition of Vessels; Seaway Navigation; Dangerous Cargo; and Schedule II. These changes are to clarify existing requirements in the regulations. In addition, Congress renamed the Saint Lawrence Seaway Development Corporation (SLSDC) as Great Lakes St. Lawrence Seaway Development Corporation (GLS) as part of the 2021 Consolidated Appropriations Act (Section 512 of Division AA of Pub. L. 116-260), signed into law on December 27, 2020. The joint regulations are being amended to reflect the name change.

*Regulatory Notices: Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://www.Regulations.gov>.

The joint regulations will become effective in Canada on March 24, 2021. For consistency, because these are joint regulations under international agreement, and to avoid confusion among users of the Seaway, the GLS finds that there is good cause to make the U.S. version of the amendments effective on the same date.

**Regulatory Evaluation**

This regulation involves a foreign affairs function of the United States and therefore, Executive Order 12866 does not apply and evaluation under the Department of Transportation's

Regulatory Policies and Procedures is not required.

**Regulatory Flexibility Act Determination**

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. The St. Lawrence Seaway Regulations and Rules primarily relate to commercial users of the Seaway, the vast majority of whom are foreign vessel operators. Therefore, any resulting costs will be borne mostly by foreign vessels.

**Environmental Impact**

This regulation does not require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321, *et seq.*) because it is not a major federal action significantly affecting the quality of the human environment.

**Federalism**

The Corporation has analyzed this rule under the principles and criteria in Executive Order 13132, dated August 4, 1999, and has determined that this proposal does not have sufficient federalism implications to warrant a Federalism Assessment.

**Unfunded Mandates**

The Corporation has analyzed this rule under Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4, 109 Stat. 48) and determined that it does not impose unfunded mandates on State, local, and tribal governments and the private sector requiring a written statement of economic and regulatory alternatives.

**Paperwork Reduction Act**

This regulation has been analyzed under the Paperwork Reduction Act of 1995 and does not contain new or modified information collection requirements subject to the Office of Management and Budget review.

**List of Subjects in 33 CFR Part 401**

Hazardous materials transportation, Navigation (water), Penalties, Radio, Reporting and recordkeeping requirements, Vessels, Waterways.

Accordingly, the Great Lakes St. Lawrence Seaway Development Corporation, under the authority of 33 U.S.C. 981, amends Chapter IV of title 33 of the Code of Federal Regulations as follows:

■ 1. Revise the heading of chapter IV to read as follows:

**Chapter IV—Great Lakes St. Lawrence Seaway Development Corporation, Department of Transportation**

**PART 401—SEAWAY REGULATIONS AND RULES**

**Subpart A—Regulations**

■ 2. The authority citation for subpart A of part 401 continues to read as follows:

**Authority:** 33 U.S.C. 983(a) and 984(a) (4), as amended; 49 CFR 1.101, unless otherwise noted.

■ 3. In § 401.2, revise paragraph (a) to read as follows:

**§ 401.2 Interpretation.**

\* \* \* \* \*

(a) *Corporation* means the Great Lakes St. Lawrence Seaway Development Corporation.

\* \* \* \* \*

■ 4. In § 401.14 revise the heading and add paragraph (c) to read as follows:

**§ 401.14 Anchors, Anchor Marking Buoys.**

\* \* \* \* \*

(c) Every vessel shall be equipped with operational anchor(s) suitably rigged for immediate release, holding, and retrieval. Every vessel shall be responsible for locating and retrieving any anchor deployed by the vessel and shall do so in a timely manner so as not to delay transit of vessels.

■ 5. In § 401.20 revise paragraph (b)(6) to read as follows:

**§ 401.20 Automatic Identification System.**

\* \* \* \* \*

(b) \* \* \*

(6) Computation of AIS position reports using differential GPS corrections from Canadian Coast Guard's maritime Differential Global Position System (DGPS) radio beacon services or Wide Area Augmentation System (WAAS); or

\* \* \* \* \*

■ 6. In § 401.29 revise paragraph (c)(1)(i) to read as follows:

**§ 401.29 Maximum draft.**

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(i) An operational AIS with accuracy approved by the Seaway; and

\* \* \* \* \*

■ 7. In § 401.72 revise paragraph (g) to read as follows:

**§ 401.72 Reporting—explosive and hazardous cargo vessels.**

\* \* \* \* \*

(g) If a Safety Data Sheet (SDS) on a hazardous cargo that a vessel is carrying

is not available in a Seaway Traffic Control Center, the vessel shall provide

information enabling the preparation of an SDS.

\* \* \* \* \*

■ 8. In schedule II to subpart A of part 401, under “Table of Speeds,” revise the entries for “3. Upper Entrance, Upper Beauharnois Lock,” and “4. Lake St. Francis D1” to read as follows:

#### SCHEDULE II TO SUBPART A OF PART 401—TABLE OF SPEEDS <sup>1</sup>

| From—   | To—                        | Maximum speed over the bottom, knots |                    |
|---|----------------------------|--------------------------------------|--------------------|
|   |                            | Col. III                             | Col. IV            |
| * * * * *                                       |                            |                                      |                    |
| 3. Upper Entrance, Upper Beauharnois Lock ..... | Lake St. Francis D1 .....  | 9 (upb); 10.5 (dnb).                 | 11 (upb); 13 (dnb) |
| 4. Lake St. Francis D1 .....                    | Lake St. Francis D49 ..... | 12 .....                             | 12                 |
| * * * * *                                       |                            |                                      |                    |

Issued at Washington, DC, under authority delegated at 49 CFR part 1.101—Great Lakes St. Lawrence Seaway Development Corporation.

**Carrie Lavigne,**  
Chief Counsel.

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**BILLING CODE 4910-61-P**

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 3

**RIN 2900-AR12**

#### New Evidence

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

**SUMMARY:** The Department of Veterans Affairs (VA) amends the regulation governing use of service department records as new evidence to remove the words “Joint Services Record Research Center.” This change is necessary because the U.S. Department of Army, Records Management and Declassification Agency (RMDA) has realigned its records research activities and the Joint Services Record Research Center (JSRRC) no longer exists.

**DATES:** This final rule is effective March 23, 2021.

**FOR FURTHER INFORMATION CONTACT:** Robert Parks, Chief, Part 3 Regulations Staff (211D) Compensation Service (21C), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461-9450. (This is not a toll-free telephone number.)

**SUPPLEMENTARY INFORMATION:** The purpose of this amendment is make a

technical change to VA regulations, without substantive effect, by removing reference to the Joint Services Records Research Center (JSRRC) in title 38, Code of Federal Regulations (CFR), § 3.156(c)(2). The U.S. Department of Army, Records Management and Declassification Agency (RMDA) has realigned its records research activities and the Joint Services Record Research Center (JSRRC) no longer exists. The JSRRC was a research office that provided support to the Department of Veterans Affairs (VA), acting as an intermediary to conduct multi-service research of official military unit records for information that may verify an incident described by a veteran in a claim for disability compensation. Although the JSRRC no longer exists, the military unit records that were the subject of JSRRC research have not been impacted. Those records remain in the custody of the U.S. military and will be researched by VA as appropriate in the course of adjudicating claims for VA benefits. This amendment does not impact existing standards governing VA’s duty to assist a claimant, under 38 U.S.C. 5103A, in obtaining evidence necessary to substantiate a claim.

Currently, 38 CFR 3.156(c) provides that VA will reconsider a previously decided claim if VA receives or associates with the claims file relevant official service department records that existed and had not been associated with the claims file when VA first decided the claim. Moreover, 38 CFR 3.156(c)(2) provides examples of service department records that do not qualify, and references the situation where the claimant had not provided, when VA decided the claim, sufficient information for VA to identify and

obtain the records from “the respective service department, the Joint Services Records Research Center, or from any other official source.” This regulatory change removes from that section the reference to the JSRRC because it no longer exists. However, this change does not alter the essential import of the provision, as the JSRRC was only listed as an example of an official source from which VA could have obtained the records. The essential standard remains that nonqualifying records include those where the claimant had not provided sufficient information for VA to identify and obtain the records from “any official source.” Where the JSRRC existed at the time that VA decided the claim, the JSRRC would, in general, continue to qualify as an “official source” at that time for purposes of § 3.156(c)(2). For claims adjudicated after the JSRRC ceased to exist, the military records themselves previously researched by the JSRRC remain available for research by VA as an official source of records, as indicated above.

#### Administrative Procedure Act

VA finds that there is good cause under the provisions of 5 U.S.C. 553(b)(B) and (d) to publish this final rule without prior opportunity for public comment and with immediate effect. Namely, the removal of reference to JSRRC is minor, does not impact the applicable standard, aligns the regulation with an organizational change within the military that is outside of VA’s control, and does not involve VA’s exercise of policy-making discretion. Continuing to reference a non-existent research entity in the regulation would create the potential for

<sup>1</sup> Maximum speeds at which a vessel may travel in the identified area in both normal and high water

conditions are set out in this schedule. The Manager and the Corporation will, from time to

time, designate the set of speed limits that is in effect.