

Michael Freitas, (202) 366-9292, ITS Joint Program Office (HOIT-1). For legal information: Mr. Wilbert Baccus, Office of the Chief Counsel, (HCC-32), (202) 366-1346, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 8 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** To the extent that 5 U.S.C section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the FHWA's implementation of this rule without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(B) and 553 (d)(3). Seeking public comment is impracticable, unnecessary, and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of the new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this action effective immediately upon publication.

Issued on: January 31, 2001.

**Anthony R. Kane,**  
*Executive Director.*

[FR Doc. 01-3206 Filed 2-2-01; 4:50 pm]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 199

RIN 0720-AA57

#### **Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Methodology for Coverage of Phase II and Phase III Clinical Trials Sponsored by the National Institutes of Health**

**AGENCY:** Department of Defense.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** The Department of Defense published a final rule on Methodology for Coverage of Phase II and Phase III Clinical Trials Sponsored by the

National Institutes of Health. This rule should not have been published in accordance with the Regulatory Review Plan, therefore, this document is published to withdraw the rule.

**DATES:** The rule published on Wednesday, January 31, 2001 at 66 FR 8365 is withdrawn as of February 7, 2001.

**FOR FURTHER INFORMATION CONTACT:** Patricia Collins, 703-681-0039

Dated: January 30, 2001.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison,  
Department of Defense.*

[FR Doc. 01-3034 Filed 2-6-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-01-008]

#### **Drawbridge Operation Regulations: Harlem River, NY**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the Macombs Dam Bridge, at mile 3.2, across the Harlem River at New York City, New York. This deviation allows the bridge owner to keep the bridge in the closed position from February 1, 2001 through April 1, 2001. This action is necessary to facilitate maintenance at the bridge.

**DATES:** This deviation is effective from February 1, 2001 through April 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** Joe Arca, Project Officer, First Coast Guard District, at (212) 668-7165.

**SUPPLEMENTARY INFORMATION:** The Macombs Dam Bridge, at mile 3.2, across the Harlem River, has a vertical clearance of 27 feet at mean high water, and 32 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.789(c).

The bridge owner, New York City Department of Transportation (NYCDOT), requested a temporary deviation from the drawbridge operating regulations to facilitate the necessary structural maintenance at the bridge. This deviation from the operating regulations allows the bridge owner to keep the bridge in the closed position

from February 1, 2001 through April 1, 2001.

Thirty days notice to the Coast Guard for approval of this maintenance repair was not given by the bridge owner and was not required because this work involves vital, unscheduled maintenance that must be performed without undue delay.

Vessels that can pass under the bridge without an opening may do so at all times during the closed period.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: January 25, 2001.

**G.N. Naccara,**

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

[FR Doc. 01-3109 Filed 2-6-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD07-01-003]

RIN 2115-AE47

#### **Drawbridge Operation Regulations: Hillsborough River, Tampa, FL**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is temporarily changing the operation of the Platt and Brorein Street Drawbridges across the Hillsborough River in Tampa, Florida. This temporary rule allows the Platt and Brorein Street Drawbridges to remain closed from 8 a.m. to 1 p.m. on Saturday, February 24, 2001. This action is necessary to facilitate the running of the Bank of America Gasparilla Distance Classic foot race.

**DATES:** This rule is effective from 8 a.m. to 1 p.m. on February 24, 2001.

**ADDRESSES:** Material received from the public as well as documents indicated in this preamble as being available in the docket are part of docket [CGD07-01-003] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Miami, Florida, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Barry Dragon, Seventh Coast Guard District, Bridge Section, at (305) 415-6743.