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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[USCG–2013–0982]

Drawbridge Operation Regulations; Hackensack River, New Jersey

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulations governing the operation of the Port Authority Trans-Hudson Corporation (PATH), National Railroad Passenger Corporation (AMTRAK) and New Jersey Transit Rail Operation (NJTRO) Railroad Bridges. This deviation allows the PATH Bridge, mile 3.0; Amtrak's Portal Bridge, mile 5.0; and NJTRO's Upper Hack and HX Bridges, miles 6.9 and 7.7, respectively, all across the Hackensack River, NJ to remain closed during the Super Bowl XLVIII weekend to facilitate the movement of more than 150,000 visitors, guests and area residents to various public events and activities in New York and New Jersey.

DATES: This deviation is effective from 10 a.m. Saturday, February 1, through 1 a.m. Monday, February 3, 2014.

ADDRESSES: The docket for this deviation, [USCG–2013–0982] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140, on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m.,

Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Joe Arca, Project Officer, First Coast Guard District, joe.m.arca@uscg.mil, or (212) 668–7165. If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: In the closed position the PATH Bridge, mile 3.0, has a vertical clearance of 40 feet at mean high water, and 45 feet at mean low water; AMTRAK Portal Bridge, mile 5.0, has a vertical clearance of 28 feet at mean high water, and 23 feet at mean low water; NJTRO Upper Hack Bridge, mile 6.9, has a vertical clearance of 8 feet at mean high water, and 13 feet at mean low water; NJTRO HX Bridge, mile 7.7, has a vertical clearance of 8 feet at mean high water and 13 feet at mean low water. The existing drawbridge operating regulations for these bridges are found at 33 CFR 117.723.

The bridge owners requested that the bridges not open for marine traffic from 10:00 a.m. Saturday, February 1 through 1:00 a.m. Monday, February 3, 2014, to facilitate the expected movement of more than 150,000 visitors, guests and area residents to various public events and activities in the New York and New Jersey area during the Super Bowl XLVIII weekend.

Hackensack River is transited primarily by commercial navigation. Bridge owners reported that there were no requests for bridge openings for any of the bridges for the past three years. Vessels that can pass under the closed draws may do so at all times.

Under this temporary deviation the PATH, Portal, Upper Hack and HX bridges may remain closed for marine traffic from 10:00 a.m. on Saturday, February 1 through 1:00 a.m. on Monday, February 3, 2014.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated deviation period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: December 2, 2013.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. 2013–29856 Filed 12–16–13; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[USCG–2013–0981]

Drawbridge Operation Regulations; Passaic River, Newark and Harrison, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the National Railroad Passenger Corporation (AMTRAK) Dock Railroad Bridge across Passaic River, mile 5.0, between Newark and Harrison, New Jersey. This deviation allows the AMTRAK Dock Bridge, mile 5.0, across the Passaic River to remain closed during the Super Bowl XLVIII weekend to facilitate the movement of more than 150,000 visitors, guests and area residents to various public events and activities in New York and New Jersey.

DATES: This deviation is effective from 10:00 a.m. Saturday, February 1 through 1:00 a.m. Monday, February 3, 2014.

ADDRESSES: The docket for this deviation, [USCG–2013–0981] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140, on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Joe Arca, Project Officer, First Coast Guard

District, joe.m.arca@uscg.mil, or (212) 668-7165. If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION: The AMTRAK Dock Bridge has a vertical clearance of 24 feet at mean high water, and 29 feet at mean low water in the closed position. The existing drawbridge operating regulations are found at 33 CFR 117.739(e).

AMTRAK, requested that the Dock Bridge not open for marine traffic from 10:00 a.m. Saturday, February 1 through 1:00 a.m. Monday, February 3, 2014, to facilitate the expected movement of more than 150,000 visitors, guests and area residents to various public events and activities in the New York and New Jersey area during the Super Bowl XLVIII weekend.

Passaic River is transited primarily by commercial navigation. The bridge owner reported that there were no requests for bridge openings at the Dock Bridge for the past three years. Vessels that can pass under the closed draw may do so at all times.

Under this temporary deviation the Dock Bridge may remain closed for marine traffic from 10:00 a.m. on Saturday, February 1 through 1:00 a.m. on Monday, February 3, 2014.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated deviation period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: December 2, 2013.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. 2013-29858 Filed 12-16-13; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900-AN89

Secondary Service Connection for Diagnosable Illnesses Associated With Traumatic Brain Injury

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) amends its adjudication regulations concerning service connection. This final rule acts upon a report of the National Academy of Sciences, Institute of Medicine (IOM),

Gulf War and Health, Volume 7: Long-Term Consequences of Traumatic Brain Injury, regarding the association between traumatic brain injury (TBI) and five diagnosable illnesses. This amendment establishes that if a veteran who has a service-connected TBI also has one of these diagnosable illnesses, then that illness will be considered service connected as secondary to the TBI.

DATES: *Effective Date:* This rule is effective January 16, 2014.

FOR FURTHER INFORMATION CONTACT:

Michael Ford, Regulatory Specialist, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 461-6813. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On December 10, 2012, VA published in the **Federal Register** (77 FR 73366) a proposed rule to amend VA adjudication regulations (38 CFR Part 3) by revising 38 CFR 3.310 to add five diagnosable illnesses as secondary conditions which would be held to be the proximate result of service-connected TBI. The proposed rule identified those five illnesses as: (1) Parkinsonism, including Parkinson's disease, manifested following moderate or severe TBI; (2) Unprovoked seizures manifested following moderate or severe TBI; (3) Dementias (presenile dementia of the Alzheimer type and post-traumatic dementia) if manifest within 15 years following moderate or severe TBI; (4) Depression if manifest within 3 years of moderate or severe TBI, or within 12 months of mild TBI; and (5) Diseases of hormone deficiency that result from hypothalamo-pituitary changes if manifest within 12 months of moderate or severe TBI. We provided a 60-day public-comment period, which ended on February 8, 2013, and received 201 public comments.

1. Executive Summary

A. Purpose

This final rule amends VA's regulation concerning determinations of "secondary service connection" by identifying circumstances under which certain illnesses will, absent clear evidence to the contrary, be found to be the secondary result of a service-connected TBI. The effect of the rule will be to eliminate the need for case-specific development and decision on that issue, thereby promoting efficiency and consistency in claim adjudications and making it easier for qualifying claimants to establish service connection for these conditions.

VA provides disability compensation and other benefits for disability resulting from disease or injury that is "service connected," meaning that it arose in service, was aggravated by service, or otherwise is causally related to service. See 38 CFR 3.303.

"Secondary service connection" refers to the situation in which a service-connected disease or injury causes or aggravates a distinct condition. In that situation, 38 CFR 3.310(a) provides that "disability which is proximately due to or the result of a service-connected disease or injury shall be service connected" and "the secondary condition shall be considered a part of the original condition."

Regulations in VA's Schedule for Rating Disabilities currently recognize that TBIs potentially may produce a variety of cognitive, emotional/behavioral, or physical effects, including conditions that may be diagnosed as distinct mental or physical disorders. 38 CFR 4.124a, Diagnostic Code 8045. However, when a Veteran has suffered a TBI in service and also has been diagnosed with a distinct mental or physical condition, such as depression or endocrine dysfunction, it may not be apparent whether the latter condition was caused by the TBI or resulted from some other cause. In such cases, VA ordinarily would seek to obtain a medical opinion on that question and would make a determination taking into account the medical opinion and all other relevant evidence of record.

In a report titled "Gulf War and Health, Volume 7: Long-Term Consequences of Traumatic Brain Injury," the IOM analyzed the available scientific and medical literature regarding the long-term consequences of TBI. In that report, IOM identified certain diagnosable conditions as to which there is relatively strong evidence that such conditions are associated with TBI because, for example, reliable studies show that those conditions occur more frequently in persons who have suffered a TBI than in other populations. After considering the IOM report and obtaining advice from medical experts and others within VA, the Secretary determined that there is a sufficient basis to establish a rule providing that certain diagnosable illnesses will be found to be the secondary result of TBI in certain circumstances, absent clear evidence to the contrary. Establishing such a rule will eliminate the need in individual cases to obtain a medical opinion or develop other evidence to determine whether the condition is associated with a TBI.