

Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* For any service information referenced in EASA AD 2019-0063 that contains RC procedures and tests: Except as required by paragraph (j)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

#### (k) Related Information

(1) For information about EASA AD 2019-0063, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 89990 6017; email: ADs@easa.europa.eu; Internet: [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this EASA AD at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. EASA AD 2019-0063 may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0484.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3229.

Issued in Des Moines, Washington, on June 18, 2019.

**Michael Kaszycki,**

*Acting Director, System Oversight Division, Aircraft Certification Service.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket Number USCG-2019-0431]

RIN 1625-AA08

#### Special Local Regulation; Roy Webster Cross Channel Swim, Columbia River, Cascade Locks, OR

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to establish a temporary regulated area for certain waters of the Columbia River. This action is necessary to provide for the safety of participants and the maritime public during a cross-channel swim. This proposed rulemaking would prohibit non-participant persons and vessels from being in the regulated area unless authorized by the Captain of the Port Columbia River or a designated representative. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before July 26, 2019.

**ADDRESSES:** You may submit comments identified by docket number USCG-2019-0431 using the Federal eRulemaking Portal at <https://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email LCDR Dixon Whitley, Waterways Management Division, Marine Safety Unit Portland, Coast Guard; telephone 503-240-9319, email [msupdxwwm@uscg.mil](mailto:msupdxwwm@uscg.mil).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### **II. Background, Purpose, and Legal Basis**

The Roy Webster Cross-Channel Swim is an annual event that has been running for the last 74 years on the Columbia River in the vicinity of Hood River, OR occurring on or around Labor Day. Participants are ferried across the Columbia River from the Hood River

Marina to the Washington shore at the start of the event. Once on the other side, the participants jump off the ferry and swim back across the river following a swim lane that is lined with volunteers in sailboats, kayaks and paddleboards. Approximately 300 swimmers participate in this event annually. On April 4, 2019, the Hood River Chamber of Commerce notified the Coast Guard that it will be moving the swim location from Hood River, OR, to Cascade Locks, OR.

The purpose of this rulemaking is to relocate the regulated area from Hood River, OR to Cascade Locks, OR to ensure the safety of event participants, the marine environment and the protection of the navigable waterway during the scheduled event for 2019. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70041 (previously 33 U.S.C. 1231).

##### **III. Discussion of Proposed Rule**

The Thirteenth Coast Guard District Commander is proposing to establish a regulated area from 5:30 a.m. to noon on September 2, 2019. As the event consists of participants swimming across the navigable channel, the Coast Guard feels that it would be necessary to establish a regulated area that would cover all navigable waters of the Columbia River between river mile 149 and river mile 151 during the event.

Since 2017, a regulated area between River Mile 169 and River Mile 170 has been established for this event under 33 CFR 100.1302. Because the location of the event has been changed for 2019, we will not be enforcing the § 100.1302 regulations for the Roy Webster Cross Channel Swim event this year, and instead are issuing this notice of proposed rulemaking (NPRM) to establish a temporary rule for 2019.

This NPRM proposes to create a temporary regulated area in the vicinity of Cascade Locks, OR, rather than Hood River, OR, for this year's event in accordance with the request of the organizers. The regulatory text we are proposing appears at the end of this document.

##### **IV. Regulatory Analyses**

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

###### **A. Regulatory Planning and Review**

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory

alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This NPRM has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, short duration, and the event’s long history. Commercial vessel traffic would be able to transit the area with permission from the COTP or a designated representative. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

#### *B. Impact on Small Entities*

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person

listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

#### *C. Collection of Information*

This proposed rule would not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### *D. Federalism and Indian Tribal Governments*

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 proposed 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 proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

#### *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 proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### *F. Environment*

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01 and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National

Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 proposed rule involves a regulated area lasting approximately six hours that would prohibit entry within a specified section of the Columbia River in the vicinity of Cascade Locks, OR. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed 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.

#### **V. Public Participation and Request for Comments**

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <https://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, visit <https://www.regulations.gov/privacyNotice>.

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

**List of Subjects in 33 CFR Part 100**

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 100 as follows:

**PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS**

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T13–0431 to read as follows:

**§ 165.T13–0431 Special Local Regulation; Roy Webster Cross Channel Swim, Columbia River, Cascade Locks, OR.**

(a) *Regulated area.* These waters are in the vicinity of Cascade Locks, OR on the Columbia River between River Mile 149 and River Mile 151.

(b) *Effective period.* This regulation will be in effect from 5:30 a.m. to noon on September 2, 2019.

(c) *Special Local regulations.* (1) Non-participant personnel and vessels are prohibited from entering the regulated area unless authorized by the Coast Guard Patrol Commander (PATCOM).

(2) The Coast Guard may patrol regulated area under the direction of a designated PATCOM. The PATCOM may be contacted on Channel 16 VHF–FM (156.8 MHz) by the call sign “PATCOM.” Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the Captain of the Port, Sector Columbia River.

(3) PATCOM may control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the lawful directions issued. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(4) PATCOM may delay or terminate the event at any time it is deemed necessary to ensure the safety of life or property. Such action may be justified as a result of weather, traffic density, spectator operation or participant behavior.

(5) Vessels may not transit the regulated areas without PATCOM approval. Vessels permitted to transit must operate at a no wake speed, in a manner which will not endanger participants or other crafts in the event.

(6) Spectators or other vessels shall not anchor, block, loiter, or impede the

transit of event participants or official patrol vessels in the regulated areas during the effective date and time.

**D.G. Throop,**

*RADM, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.*

[FR Doc. 2019–13627 Filed 6–25–19; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF VETERANS AFFAIRS****38 CFR Part 9**

**RIN 2900–AQ49**

**Service Members Group Life Insurance—Definition of Stillborn Child for Purposes of Coverage**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Veterans Affairs (VA) proposes to amend the regulation defining “member’s stillborn child” for purposes of the Servicemembers’ Group Life Insurance (SGLI) program. The current definition of a “member’s stillborn child” is that a fetus must weigh at least 350 grams or, if the fetal weight is unknown, duration in utero is at least 20 completed weeks of gestation. VA proposes to amend the definition to allow reliance upon the fetus’ gestational age even if the fetus’ weight is known. As a result, a fetus whose duration in utero is 20 completed weeks of gestation but who weighs less than 350 grams would qualify as a “member’s stillborn child.”

**DATES:** Comments must be received on or before August 26, 2019.

**ADDRESSES:** Written comments may be submitted through <http://www.Regulations.gov>; by mail or hand-delivery to: Director, Office of Regulation Policy and Management (00REG), Department of Veterans Affairs, 810 Vermont Ave. NW, Room 1064, Washington, DC 20420; or by fax to (202) 273–9026. (This is not a toll-free telephone number.) Comments should indicate that they are submitted in response to “RIN 2900–AQ49—Servicemembers’ Group Life Insurance, Definition of Stillborn Child.”

All comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1064, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 461–4902 for an appointment. (This is not a toll-free telephone number.) In addition, comments may be viewed online through the Federal Docket Management

System (FDMS) at <http://www.Regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Ruth Berkheimer, Insurance Specialist, Department of Veterans Affairs Insurance Center (310/290B), 5000 Wissahickon Avenue, Philadelphia, PA 19144, (215) 842–2000, ext. 4275. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** The

Veterans’ Survivor Benefits Improvements Act of 2001, Public Law 107–14, 4, 115 Stat. 25, 26–28, authorized automatic insurance coverage for spouses and dependent children of servicemembers (hereinafter “servicemembers” or “members”) enrolled in Servicemembers’ Group Life Insurance (SGLI). This insurance is referred to as Family Servicemembers’ Group Life Insurance (FSGLI), which provides a maximum of \$100,000 of coverage for a spouse, not to exceed the servicemember’s SGLI coverage amount, and \$10,000 for each dependent child. The servicemember pays the premium for spousal coverage, while dependent children are insured at no cost. Members cannot decline or reduce coverage for dependent children if the member is insured under SGLI. *See* 38 U.S.C. 1967(a)(3)(B). Dependent child coverage begins on the date of birth or, “if the child is not the natural child of the member, the date on which the child acquires status as an insurable dependent of the member.” 38 U.S.C. 1967(a)(5)(F).

Section 402 of the Veterans’ Benefits Improvement Act of 2008, Public Law 110–389, 122 Stat. 4145, 4174, expanded the definition of “insurable dependent” for SGLI purposes to include a “member’s stillborn child.” On November 18, 2009, VA added paragraph (k)(1) to 38 CFR 9.1 to define the term “member’s stillborn child” for purposes of SGLI coverage to mean:

A member’s natural child—  
(i) Whose death occurs before expulsion, extraction, or delivery; and  
(ii) Whose—  
(A) Fetal weight is 350 grams or more; or

(B) If fetal weight is unknown, duration in utero is 20 completed weeks of gestation or more, calculated from the date the last normal menstrual period began to the date of expulsion, extraction, or delivery.

74 FR 59,478, 59,479 (Nov. 18, 2009). (The word “natural” was changed to “biological” in 2012. 77 FR 70374, 70376 (Nov. 26, 2012)). VA promulgated this definition pursuant to S. Rep. No. 110–449, at 41 (2008), which stated that the “Committee expects VA to . . . define the term [“stillborn child”]. . .