Regulations for the Federal Home Loan Bank System (12 CFR 531.7).

Section 531.7 is revised in order to clarify its meaning and to remove certain portions of it which are no longer appropriate. In particular the last sentence of paragraph (b) of § 531.7 is revised in order to clarify the method of computing the maximum amount of certificate accounts of 1 year or more which member institutions should have maturing in any month. The last sentence had provided, in part, that "member institutions should avoid maturities in any month which already has maturities of certificate accounts in excess of 5 percent of the institution's total savings accounts outstanding at the end of its most recent distribution period for regular accounts".

Under revised paragraph (b) of § 31.7, each member institution should avoid issuing or renewing a certificate account of 1 year or more if, as a result of such issuance or renewal, the total of the institution's certificate accounts of 1 year or more maturing in a particular month would exceed 5 percent of this institution's total savings accounts. The 5 percent ratio is computed by dividing the total outstanding certificate accounts of 1 year or more maturing in the particular month (including the one just being issued or renewed) by the institution's total savings accounts as of the end of the month immediately before such issuance or renewal. Under this method of computation, the institution is able to more accurately determine whether it has reached the 5 percent maximum. This new method of computation is preferable because under the previous rule a member institution could find that its certificate accounts of 1 year or more exceeded the limitation due to events beyond its control such as unusually large savings withdrawals.

Accordingly, the Board hereby revises said § 531.7 to read as set forth below.

§ 531.7 Distribution of maturities of certificate accounts of 1 year or more.

(a) This is a statement of the Federal Home Loan Bank Board's policy concerning distribution of maturities of certificate accounts of 1 year or more. In conducting examinations of member institutions whose accounts are insured by the Federal Savings and Loan Insurance Corporation, the Board's examiners will review the maturity structure of each institution's certificate accounts. Supervisory comment will be made if the institution has an undue "bunching" of maturities of certificate accounts of 1 year or more.

(b) Each member institution should avoid issuing or renewing a certificate account of 1 year or more if, as a result of such issuance or renewal, the total of the institution's certificate accounts of 1 year or more maturing in a particular month would exceed 5 percent of the institution's total savings accounts. In computing the 5 percent ratio, the denominator shall be the institution's total savings as of the end of the month preceding such issuance or renewal and the numerator shall be the total certificate accounts of 1 year or more outstanding after such issuance or renewal and maturing in the particular month.

(Sec. 5B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended by sec. 2(b), 83 Stat. 371, as amended by sec. 4, Public Law 93-100, August 16, 1973; sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425b, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071).

By the Federal Home Loan Bank Board.

[SEAL] EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc.73-23298 Filed 10-31-73;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-SW-2]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Delayed Effective Dates

On August 27, 1973, FR Doc. No. 73-18020 was published in the FEDERAL REGISTER (38 FR 22888) amending the effective date of deletion of the Fort Worth, Tex. (Greater Southwest International Dallas-Fort Worth Field), control zone; designation of the Dallas-Fort Worth, Tex. (Regional Airport), control zone; and alteration of the Dallas, Tex. (Love Field), (NAS Dallas), (Redbird Airport), and (Addison Airport), control zones from September 30, 1973, to October 28, 1973. Subsequent to publication of the revised effective date, opening of the new Dallas-Fort Worth Regional Airport has been delayed until January 13, 1974. This will delay the effective date of the amendments to Part 71 of the Federal Aviation Regulations. Action is taken herein to amend the effective date.

Since this amendment will impose no undue burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, FEDERAL REGISTER Document 73-18020 is amended to change the effective date of Airspace Docket No. 73-SW-2 from 0901 G.m.t., October 28, 1973, to 0901 G.m.t., January 13, 1974.

(Sec. 307(a), Federal Aviation Act, 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on October 18, 1973.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.73-23250 Filed 10-31-73;8:45 am]

[Docket No. 13285, Amdt. No. 888]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAP's) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAP's for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAP's are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAP's adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAP's may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAP's, effective December 13, 1973:

Clarksville, Tenn.—Outlaw Field, VOR Runway 34, Amdt. 6.
Dubuque, Iowa—Dubuque Municipal Airport, VOR Runway 13, Amdt. 4.
Dubuque, Iowa—Dubuque Municipal Airport, VOR Runway 31, Amdt. 6.
Gillette, Wyo.—Gillette-Campbell County Airport, VOR Runway 15, Amdt. 1.
Hibbing, Minn.—Chisholm-Hibbing Airport, VOR Runway 13, Amdt. 6.
Hibbing, Minn.—Chisholm-Hibbing Airport, VOR Runway 31, Amdt. 10.
Hobbs, N.M.—Lea County (Hobbs) Airport, VOR Runway 3, Amdt. 13.
Laurel, Miss.—Laurel Municipal Airport, VOR Runway 13, Amdt. 7.
West Bend, Wis.—West Bend Municipal Airport, VOR Runway 31, Amdt. 2.

* * * effective November 15, 1973:

Huron, S.D.—W. W. Howes Municipal Airport, VOR Runway 12, Amdt. 13.

* * * effective November 8, 1973:

Seattle, Wash.—Seattle-Tacoma Int'l Airport, VOR Runway 16L/R, Amdt. 5.

Winchester, Va.—Winchester Municipal Airport, VOR-A, Amdt. 3.
Winchester, Va.—Winchester Municipal Airport, VOR/DME-B, Orig.

* * * effective October 25, 1973:

Philadelphia, Pa.—Philadelphia Int'l Airport, VOR/DME Runway 27R, Amdt. 3.

* * * effective October 24, 1973:

Paducah, Ky.—Barkley Airport, VOR Runway 4, Amdt. 9.
Rocky Mount, N.C.—Rocky Mount-Wilson Airport, VOR/DME Runway 22, Amdt. 3.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAP's, effective December 13, 1973.

Hibbing, Minn.—Chisholm-Hibbing Airport, LOC (BC) Runway 13, Amdt. 1.

* * * effective November 29, 1973:

Concord, N.H.—Concord Municipal Airport, LOC Runway 35, Orig.

* * * effective November 15, 1973:

Huron, S.D.—W. W. Howes Municipal Airport, LOC Runway 12, Orig.
Huron, S.D.—W. W. Howes Municipal Airport, LOC/DME (BC Runway 30, Amdt. 1.

* * * effective November 8, 1973:

Salisbury, Md.—Salisbury-Wicomico Co. Airport, LOC (BC) Runway 14, Orig.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAP's, effective December 13, 1973.

Bryan, Ohio—Williams County Airport, NDB-A, Amdt. 1.
Dubuque, Iowa—Dubuque Municipal Airport, NDB Runway 31, Amdt. 3.
Emporia, Va.—Emporia Municipal Airport, NDB Runway 33, Amdt. 2.
Mineral Wells, Tex.—Mineral Wells Airport, NDB (ADF) Runway 31, Amdt. 4, Canceled.
West Bend, Wis.—West Bend Municipal Airport, NDB Runway 31, Amdt. 4.

* * * effective November 29, 1973:

Concord, N.H.—Concord Municipal Airport, NDB (ADF)-1, Amdt. 2, Canceled.
Concord, N.H.—Concord Municipal Airport, NDB Runway 35, Orig.

* * * effective November 15, 1973:

Huron, S.D.—W. W. Howes Municipal Airport, NDB Runway 12, Amdt. 13.

* * * effective October 24, 1973:

Paducah, Ky.—Barkley Airport, NDB Runway 4, Amdt. 5.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAP's, effective December 13, 1973:

Dubuque, Iowa—Dubuque Municipal Airport, ILS Runway 31, Amdt. 4.
Hibbing, Minn.—Chisholm-Hibbing Airport, ILS Runway 31, Amdt. 3.

* * * effective November 15, 1973:

Huron, S.D.—W. W. Howes Municipal Airport, ILS Runway 12, Amdt. 14, Canceled.

* * * effective October 24, 1973:

Paducah, Ky.—Barkley Airport, ILS Runway 4, Amdt. 1.
Rocky Mount, N.C.—Rocky Mount-Wilson Airport, ILS Runway 4, Amdt. 3.

5. Section 97.31 is amended by originating, amending, or canceling the following Radar SIAP's, effective October 19, 1973:

Orlando, Fla.—McCoy AFB, RADAR-1, Amdt. 1, Canceled.

6. Section 97.33 is amended by orginating, amending, or canceling the following RNAV SIAP's, effective December 13, 1973:

Stockton, Calif.—Stockton Metropolitan Airport, RNAV Runway 29R, Amdt. 1.
West Bend, Wis.—West Bend Municipal Airport, RNAV Runway 13, Orig.

* * * effective December 6, 1973:

Oklahoma City, Okla.—Will Rogers World Airport, RNAV Runway 12, Amdt. 2.
Oklahoma City, Okla.—Will Rogers World Airport, RNAV Runway 17L, Amdt. 2.

* * * effective October 17, 1973:

Buffalo, N.Y.—Greater Buffalo International Airport, RNAV Runway 32, Amdt. 3.

Correction. In Docket No. 13268, Amendment No. 887, to Part 97 of the Federal Aviation Regulations, published in the Federal Register under Section 97.27, effective December 6, 1973, cancel procedure under Yakataga, Alas.—Yakataga Arpt., NDB-A, Original.

(Secs. 307, 313, 601, 1110, Federal Aviation Act, 1948; 49 U.S.C. 1438, 1354, 1421, 1510, sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1)).

Issued in Washington, D.C., on October 25, 1973.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the FEDERAL REGISTER on May 12, 1969 (35 FR 5610).

[FR Doc.73-23252 Filed 10-31-73;8:45 am]

[Docket No. 12574, Amdt. No. 103-19]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Carriage of Magnetized Materials

The purpose of this amendment to Part 103 of the Federal Aviation Regulations is to correct the inadvertent inclusion of magnetized materials in an amendment to Part 103. This amendment would expressly exclude magnetized materials from those that are required to be located in any passenger-carrying aircraft in a place that is inaccessible to persons other than crewmembers.

Amendment 103-17 (published in 38 FR 17831, July 5, 1973) added a new paragraph (f) to § 103.31 of the Federal Aviation Regulations, prohibiting the carriage of any articles subject to the requirements of Part 103 on passenger-carrying aircraft unless those articles are inaccessible in the aircraft to persons other than crewmembers. It was intended that the requirements of new § 103.31(f) be limited to dangerous articles; however, as adopted, the section was made applicable to magnetized materials as well. The applicability of § 103.31 (f) to magnetized materials imposes an unnecessary and unintended restriction, since they are not dangerous articles and their proximity to persons aboard the aircraft is not a safety factor. Magnetized materials were first provided for in the Civil Air Regulations by an amendment to Part 49 which then contained the regulations dealing with the transportation of explosives and other dangerous articles (Amendment No. 49-3; 27 FR 5393; June 1, 1962). The preamble to that amendment explained that magnets and magetic devices can adversely influence the accuracy of magnetic compasses unless they are properly packed and kept at a safe distance from the aircraft's compass. The FAA believes that the current §§ 103.29 and 103.31(d) are adequate to ensure the safe operation of aircraft carrying magnetized materials.

Accordingly, the FAA has determined that an amendment excluding magnetized materials from the applicability of § 103.31(f) is appropriate and will not adversely affect safety.

Since this amendment removes an unnecessary and unintended restriction, I find that notice and public procedure hereon are unnecessary and good cause exists for making this amendment effective on less than 30 days' notice.

(Secs. 313(a) and 601, Federal Aviation Act, 1958 (49 U.S.C. 1354(a) and 1421); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, § 103.31(f) of the Federal Aviation Regulations is amended, effective November 1, 1973, to read as follows:

§ 103.31 Cargo location.

* * * * *

(f) No person may carry an article subject to the requirements of this part that is acceptable for carriage in passenger-carrying aircraft, other than magnetized materials, unless it is located in the aircraft in a place that is inaccessible to persons other than crewmembers.

Issued in Washington, D.C., on October 24, 1973.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.73-23251 Filed 10-31-73;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER D—TRADE REGULATION RULES

PART 429—COOLING-OFF PERIOD FOR DOOR-TO-DOOR SALES

"Notice of Cancellation"

On October 26, 1972, the Federal Trade Commission published at 37 FR 22933 the Trade Regulation Rule relating to a cooling-off period for door-to-door sales. The Commission believes that it is in the public interest to modify some of the language used in the original rule and hereby publishes the amended provision of the rule. The Commission has determined that it is unnecessary for it to

publish notice of proposed rulemaking and to receive comments on this modification in accordance with 5 U.S.C. section 553 (b) and (c), or to delay the effective date of the rule for 30 days in accordance with 5 U.S.C. section 553(d), because it finds that the modified provision constitutes merely an editorial change in the language of the rule and is not intended to create, alter or revoke any substantive rights or duties provided by the original language of the rule.

Set forth below is the full text of revised paragraph (b) of § 429.1, The Rule, in which only the fourth paragraph of the "Notice of Cancellation" is hereby amended:

§ 429.1 The Rule.

* * * * *

(b) Fail to furnish each buyer, at the time he signs the door-to-door sales contract or otherwise agrees to buy consumer goods or services from the seller, a completed form in duplicate, captioned "NOTICE OF CANCELLATION", which shall be attached to the contract or receipt and easily detachable, and which shall contain in ten point bold face type the following information and statements in the same language, e.g., Spanish, as that used in the contract:

NOTICE OF CANCELLATION

[enter date of transaction]

(Date)

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE BUSINESS DAYS FROM THE ABOVE DATE.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELED.

IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO THE SELLER AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE; OR YOU MAY IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF THE SELLER REGARDING THE RETURN SHIPMENT OF THE GOODS AT THE SELLER'S EXPENSE AND RISK.

IF YOU DO MAKE THE GOODS AVAILABLE TO THE SELLER AND THE SELLER DOES NOT PICK THEM UP WITHIN 20 DAYS OF THE DATE OF YOUR NOTICE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION. IF YOU FAIL TO MAKE THE GOODS AVAILABLE TO THE SELLER, OR IF YOU AGREE TO RETURN THE GOODS TO THE SELLER AND FAIL TO DO SO, THEN YOU REMAIN LIABLE FOR PEFORMANCE OF ALL OBLIGATIONS UNDER THE CONTRACT.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM, TO [Name of seller], AT [address of seller's place of business] NOT LATER THAN MIDNIGHT OF ----------

(date)

I HEREBY CANCEL THIS TRANSACTION.

(Date)

(Buyer's signature)

Effective: November 1, 1973.

By the Commission.

Issued: October 29, 1973.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.73-23292 Filed 10-31-73;8:45 am]

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER C—FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS

PART 1500—HAZARDOUS SUBSTANCES AND ARTICLES; ADMINISTRATION AND ENFORCEMENT REGULATIONS

PART 1505—REQUIREMENTS FOR ELECTRICALLY OPERATED TOYS OR OTHER ELECTRICALLY OPERATED ARTICLES INTENDED FOR USE BY CHILDREN

Revision and Transfer

Correction

In FR Doc. 73-20429, appearing at page 27012 in the issue for Thursday September 27, 1973, make the following changes:

1. In § 1500.3(b)(10), the phrase which begins in the the 9th line and ends in the 12th line reading "and 'combustible' shall apply to any substance which has a flash-mined by the Tagliabue Open Cup Tester;" should be deleted.

2. In § 1500.3(b)(14)(ii), the reference to "paragraph (b)(15)(i)" should read "paragraph (b)(14)(i)".

3. In § 1500.3(c)(3) the word "or" in the 15th line should read "of".

4. In § 1500.4(a)(3), in the last line, insert the word "other" between the words "or" and "similar".

5. In § 1500.42(a)(2), second sentence, the words "hand silt-lamp" should read "hand slit-lamp".

6. In § 1500.46, third sentence, the words "(brine of glycol" should read "(brine or glycol".

7. In § 1500.84(a)(1), in fourth line, the words "shipment or delivery into interstate" should read "lishment where the hazardous substance".

8. In § 1500.127(a), in the penultimate line, insert a close parenthesis (")") between the words "name" and "for".

9. In § 1505.6(g)(2)(v), the words "see paragraphs (g) (i), (ii), (iii) and (vii) of this paragraph" should read "see paragraph (g)(2) (i), (ii), (iii) and (vii) of this section".

10. In § 1505.6(g)(5)(ii), the sixth line now situated under the footnote entry should be positioned above the footnote entry.

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 221—OPERATION AND MAINTENANCE CHARGES

Salt River Indian Irrigation Project, Arizona

On page 26729 of the FEDERAL REGISTER of September 25, 1973, there was published a notice of intention to amend §§ 221.120, 221.121, and 221.123, of Title 25, Code of Federal Regulations, dealing with operation and maintenance assessment against the lands of the Salt River Indian Irrigation Project in Arizona, with the annual date of payment, and rate for excess water.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed revisions. No comments, suggestions, nor objections have been received, and the proposed revisions are hereby adopted without change as set forth below.

Sections 221.120, 221.121, and 221.123 are revised to read as follows:

§ 221.120 Basic assessment.

The basic operation and maintenance assessment against the lands under the Salt River Indian Irrigation Project in Arizona to which water can be delivered through the irrigation project works is hereby fixed at $9.60 per acre for the year 1974 and subsequent years until further notice. The payment of the per-acre assessment shall entitle the land for which payment is made to receive three acre-feet of water per annum, or such lesser amount as represents the proportionate share of the available supply of water.

§ 221.121 Payment.

The annual basic charge fixed in § 221.120 shall be due and payable on or before February 1, 1974, and on February 1 of each year thereafter until further notice. Charges not paid on the due date shall stand as a first lien against the lands until paid.

§ 221.123 Excess water.

Additional water in excess of the basic apportionment of three acre-feet per acre per annum, may be purchased if and when the water is available at the rate of $9.50 per acre-foot or fraction thereof, measured at the farm delivery point. Payment shall be made in advance of delivery.

JOHN ARTICHOKER, *Area Director.*

[FR Doc.73-23281 Filed 10-31-73;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 3—ADJUDICATION

Service-Connected Burial Benefit; Plot or Interment Allowance

On page 22561 of the FEDERAL REGISTER of August 22, 1973, there was published a

notice of proposed regulatory development to provide for the plot or interment allowance and the service-connected death burial benefit and to specify the right to burial in a national cemetery as a benefit which will be forfeited upon conviction of certain subversive activities enumerated in 38 U.S.C. 3505. These regulations implement the provisions of Public Law 93-43 (87 Stat. 75). Interested persons were given 30 days in which to submit comments, suggestions or objections regarding the proposed regulations.

Pursuant to such notice, written comments were received from three interested parties. Two comments were in the nature of inquiries. The other proposed delaying promulgation of the changes pertaining to the plot or interment allowance. It was determined that such delay would not be appropriate. Therefore the proposed regulations are hereby adopted without change and are set forth below.

Effective date. This revision is effective August 1, 1973, except §§ 3.903 and 3.904 which are effective June 18, 1973 and § 3.1600(a) which is effective September 1, 1973.

Approved: October 18, 1973.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

1. In § 3.903, paragraph (b)(1) is amended to read as follows:

§ 3.903 Subversive activities.

* * * * *

(b) *Effect on claim.*—(1) Any person who is convicted after September 1, 1959, of subversive activities shall from and after the date of commission of such offense have no right to gratuitous benefits (including the right to burial in a national cemetery) under laws administered by the Veterans Administration based on periods of military, naval, or air service commencing before the date of the commission of such offense and no other person shall be entitled to such benefits on account of such person.

* * * * *

2. In § 3.904, paragraph (b) and (c) are amended to read as follows:

§ 3.904 Effect of forfeiture after veteran's death.

* * * * *

(b) *Treasonable acts.*—Death benefits may be authorized as provided in paragraph (a) of this section where forfeiture by reason of a treasonable act was declared before September 2, 1959. Otherwise, no award of gratuitous benefits (including the right to burial in a national cemetery) may be made to any person based on any period of service commencing before the date of commission of the offense which resulted in the forfeiture (38 U.S.C. 3504(c)).

(c) *Subversive activities.*—Where the veteran was convicted of subversive activities after September 1, 1959, no award of gratuitous benefits (including the right to burial in a national cemetery) may be made to any person based on any period of service commencing before the date of commission of the offense which resulted in the forfeiture unless the veteran had been granted a pardon of the offense by the President of the United States. If pardoned, his surviving dependents upon proper application may be paid pension, compensation or dependency and indemnity compensation, if otherwise eligible, and be restored to a right to burial in a national cemetery (38 U.S.C. 3505(a)).

3. In § 3.1600, paragraphs (a) and (b) (4) are amended and paragraph (f) is added to read as follows:

§ 3.1600 Payment of burial expenses of deceased veterans.

* * * * *

(a) *Wartime veterans.*—When a veteran of any war dies, an amount not to exceed $250 ($800 if he dies of a service-connected disability) (where entitlement is based on § 3.8 (c) or (d), at a rate in Philippine pesos equivalent to $125 or $400 if death is service-connected) is payable on the burial and funeral expenses and transportation of the body to the place of burial, if otherwise entitled within the further provisions of §§ 3.1600 through 3.1611. For this purpose the period of any war is as defined in § 3.2, except that World War I extends only from April 6, 1917, through November 11, 1918, or if the veteran served with the United States military forces in Russia, through April 1, 1920 (38 U.S.C. 902; 907; 107(a); Public Law 93-43, 87 Stat. 75).

(b) *Peacetime veterans.*—The statutory burial allowance authorized by paragraph (a) of this section is payable based on service of a veteran rendered during other than a war period:

* * * * *

(4) If he dies of a service-connected disability (38 U.S.C. 902).

* * * * *

(f) *Plot or interment allowance.*—Where a veteran dies for whom eligibility for the burial allowance under this section is warranted and is not buried in a national cemetery or other cemetery under the jurisdiction of the United States (except where the higher rate of burial allowance is payable because of service-connected death), there may be paid an additional amount not to exceed $150 (where entitlement is based on § 3.8 (c) or (d), at a rate in Philippine pesos equivalent to $75), as a plot or interment allowance for expenses actually incurred. The allowance will be payable to the person or entity who incurred the expenses (38 U.S.C. 903(b); Public Law 93-43, 87 Stat. 75).

4. Section 3.1601 is revised to read as follows:

§ 3.1601 Claims and evidence.

(a) *Claims.*—Claims for reimbursement or direct payment of burial and funeral expenses, transportation of the body, and plot or interment allowance, must be received by the Veterans' Administration within 2 years after the permanent burial or cremation of the body. Where the burial allowance was not payable at the death of the veteran because of the nature of his discharge from service, but after his death his discharge has been corrected by competent authority so as to reflect a discharge under conditions other than dishonorable, claim may be filed within 2 years from date of correction of the discharge. (38 U.S.C. 904; Public Law 93-43, 87 Stat. 75).

(1) Claims for burial allowance may be executed by:

(i) The funeral director, if entire bill or any balance is unpaid (if unpaid bill is under $250 only amount of unpaid balance will be payable to the funeral director); or

(ii) The individual whose personal funds were used to pay burial, funeral, and transportation expenses; or

(iii) The executor or administrator of the estate of the veteran or the estate of the person who paid the expenses of the veteran's burial or provided such services. If no executor or administrator has been appointed then by some person acting for such estate who will make distribution of the burial allowance to the person or persons entitled under the laws governing the distribution of interstate estates in the State of the decedent's personal domicile.

(2) Claims for the plot or interment allowance may be executed by:

(i) The funeral director, if he provided the plot or interment services, or advanced funds to pay for them, and if the entire bill for such or any balance thereof is unpaid (if unpaid balance is less than $150 only the amount of the unpaid balance thereof will be payable to the funeral director); or

(ii) The person(s) whose personal funds were used to defray the cost of the plot or interment expenses; or

(iii) The person or entity from whom the plot was purchased or who provided interment services if the bill for such is unpaid in whole or in part. An unpaid bill for a plot will take precedence in payment of the plot or interment allowance over an unpaid bill for other interment expenses or a claim for reimbursement for such expenses. Any remaining balance of the $150 allowance may then be applied to interment expenses; or

(iv) The executor or administrator of the estate of the veteran or the estate of the person who bore the expense of the plot or interment expenses. If no executor or administrator has been appointed, claim for the plot or interment allowance may be filed as provided in paragraph (a)(1)(iii) of this section for the burial allowance.

(3) For the purposes of the plot and interment allowance "plot" or "burial plot" means the final disposal site of the remains, whether it is a grave, mausoleum vault, columbarium niche, or other similar place. Interment expenses are those costs associated with the final disposition of the remains and are not confined to the acts done within the burial grounds but may include the removal of bodies for burial or interment.

(b) *Supporting evidence.*—Evidence required to complete a claim for the burial allowance and the plot or interment allowance, when payable (including a reopened claim filed within the 2-year period), must be submitted within 1 year from date of the Veterans' Administration's request for such evidence. In addition to the proper claim form, the claimant is required to submit:

(1) *Statement of account.*—Preferably on funeral director's or cemetery owner's billhead showing name of the deceased veteran, the plot or interment costs, and the nature and cost of services rendered, and unpaid balance.

(2) *Receipted bills.*—Must show by whom payment was made and show receipt by a person acting for the funeral director or cemetery owner.

(3) *Proof of death.*—In accordance with § 3.211.

(4) *Waivers from all other distributees.*—Where expenses of a veteran's burial, funeral, plot, interment and transportation were paid from funds of the veteran's estate or some other deceased person's estate and the identity and right of all persons to share in that estate have been established, payment may be made to one heir upon unconditional written consent of all other heirs.

5. In § 3.1602, paragraphs (a), (b), and (d) are amended to read as follows:

§ 3.1602 Special conditions governing payments.

(a) *Two or more persons expended funds.*—If two or more persons have paid from their personal funds toward the burial, funeral, plot, interment and transportation expenses, the burial and plot or interment allowance will be divided among such persons in accordance with the proportionate share paid by each, unless waiver is executed in favor of one of such persons by the other person or persons involved. The person in whose favor payment is waived will not be allowed a sum greater than that which was paid by him. (See § 3.1601(a)(3).)

(b) *Person who performed services.*—A person who performed burial, funeral, and transportation services or furnished the burial plot will have priority over claims of persons whose personal funds were expended.

* * * * *

(d) *Escheat.*—No payment of burial allowance or plot or interment allowance will be made where it would escheat.

6. Section 3.1603 is revised to read as follows:

§ 3.1603 Unclaimed bodies.

If the body of a deceased veteran is unclaimed, there being no relatives or friends to claim the body, the amount provided for burial and plot or interment allowance will be available for the burial upon receipt of a claim accompanied by a statement showing what efforts were made to locate relatives or friends. The question of escheat of any part of such deceased veteran's estate is not a factor in such a claim. Burial allowance may be authorized for cost of disinterment and reburial of unclaimed remains originally accorded pauper burial but not for initial expenses of a burial in a potter's field. Burial in a prison cemetery is not considered a pauper burial.

7. In § 3.1604, paragraph (c) is added to read as follows:

§ 3.1604 Payments from non-Veterans' Administration sources.

* * * * *

(c) *Payment of plot or interment allowance by public or private organization.*—Where any part of the plot or interment expenses have been paid or assumed by a State, any agency or political subdivision of a State, or the employer of the deceased veteran, only the difference between the total amount of such expenses and the amount paid or assumed by any of these agencies or organizations, not to exceed $150, will be authorized.

8. In § 3.1605, the introductory portion preceding paragraph (a), paragraph (a), and the introductory portion of paragraph (b) are amended to read as follows:

§ 3.1605 Death while traveling under prior authorization or while hospitalized by the Veterans Administration.

An amount may be paid not to exceed the amount payable under § 3.1600 for the funeral, burial, plot, or interment expenses of a person who dies while in a hospital, domiciliary, or nursing home to which he was properly admitted under authority of the Veterans' Administration. In addition, the cost of transporting the body to the place of burial may be authorized. The amount payable under this section is subject to the limitations set forth in paragraph (b) of this section, and §§ 3.1604 and 3.1606.

(a) *Death enroute.*—When a veteran while traveling under proper prior authorization and at Veterans' Administration expense to or from a specified place for the purpose of:

(1) Examination; or
(2) Treatment; or
(3) Care

dies enroute, burial, funeral, plot, interment, and transportation expenses will be allowed as though death occurred while properly hospitalized by the Veterans' Administration. Hospitalization in the Philippines under 38 U.S.C. 631, 632, and 633 does not meet the requirements of this section.

(b) *Transportation.*—Except for retired persons hospitalized under section 5 of Executive Order 10122 (15 FR 2173; 3 CFR 1950 Supp.) issued pursuant to Public Law 351, 81st Congress, and not as Veterans' Administration beneficiaries, the cost of transportation of the body to the place of burial in addition to the burial and plot or interment allowance will be provided by the Veterans' Administration where death occurs:

* * * * *

9. Section 3.1609 is revised to read as follows:

§ 3.1609 Forfeiture.

(a) Forfeiture of benefits for fraud by a veteran during his lifetime will not preclude payment of burial and plot or interment allowance if otherwise in order. No benefits will be paid to a claimant who participated in the fraud which caused the forfeiture by the veteran (38 U.S.C. 3503(c)).

(b) Burial and plot or interment allowance is not payable based on a period of service commencing prior to the date of commission of the offense where either the veteran or claimant has forfeited the right to gratuitous benefits under § 3.902 or § 3.903 by reason of a treasonable act or subversive activities, unless the offense was pardoned by the President of the United States prior to the date of the veteran's death (38 U.S.C. 3504(c)(2), 3505(a)).

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Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

[Docket No. 72-7; Notice 3]

PART 567—CERTIFICATION

PART 568—VEHICLES MANUFACTURED IN TWO OR MORE STAGES

Certification and Labeling of Altered Vehicles; Response to Petitions for Reconsideration

This notice responds to petitions for reconsideration of the amendment to NHTSA Certification and Vehicles Manufactured in Two or More Stages regulations (49 CFR Parts 567, 568) published June 19, 1973 (38 FR 15961). The amendment specified requirements for the certification and labeling of altered vehicles. Two petitions for reconsideration, one from the Recreational Vehicle Institute (RVI) and the other from the Ford Motor Company, were received. For the following reasons, each of the petitions is denied.

The RVI petitioned that manufacturers of complete vehicles altered to become motor homes be required under the regulation to provide to alterers, when requested by them, data similar to that furnished by incomplete vehicle manufacturers to final-stage manufacturers under Part 568. This information, RVI argues, would provide guidance for alterers in maintaining conformity to applicable motor vehicle safety standards. RVI further petitioned that alterers be authorized to utilize the vehicle's certification label in ascertaining compliance with applicable standards, and that the regulations be amended to specifically refer to "dealers" in those cases where that group is subject to requirements.

The NHTSA considers that its conclusions regarding RVI's first request, which was first made in RVI's comments