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DEVELOPMENTS CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO IRAQ

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and 1175 and other relevant UNSC Resolutions.

* * * * *

Dated: October 20, 1998.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: October 27, 1998.

Elisabeth A. Bresee

Assistant Secretary (Enforcement), Department of the Treasury.

[FR Doc. 98-30125 Filed 11-5-98; 3:43 pm]

BILLING CODE 4810-25-F

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900-AJ17

Minimum Income Annuity and Gratuitous Annuity

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) adjudication regulations to provide that if the Department of Defense (DOD) or the Department of Transportation determines that an individual who is entitled to a minimum income annuity for certain surviving spouses also is entitled to a certain gratuitous annuity, VA will combine the payment of the gratuitous annuity with the minimum income annuity payment. This amendment reflects statutory provisions contained in the National Defense Authorization Act for Fiscal Year 1998. The responsibility for paying the gratuitous annuity was transferred from DOD to VA.

DATES: *Effective Date:* November 10, 1998.

FOR FURTHER INFORMATION CONTACT: John Bisset, Jr., Consultant, Regulations Staff (211B), Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 273-7210.

SUPPLEMENTARY INFORMATION: Section 645 of the National Defense Authorization Act for Fiscal Year 1998, Pub. L. 105-85, § 645, 111 Stat. 1629, 1801-1802 (1997) (10 U.S.C. 1448 note), transferred responsibility for paying the gratuitous annuity authorized by section 653 of the National Defense Authorization Act, Fiscal Year 1989, Pub. L. 100-456, § 653, 102 Stat. 1918, 1991-1992 (1988), from DOD to the Secretary of Veterans Affairs. However, DOD or the Department of Transportation remains responsible for funding this annuity and determining basic eligibility. This gratuitous annuity, initially in the amount of $165 a month, but since adjusted for changes in the Consumer Price Index, is paid to certain surviving spouses of persons who died before November 1, 1953, and were entitled to retired or retainer pay on the date of death. The statute provides that VA will combine the payment of this gratuitous annuity with the payment of the minimum income annuity authorized by Pub. L. 92-425, § 4, 86 Stat. 706, 712 (1972) (10 U.S.C. 1448 note). Section 638 of the National Defense Authorization Act for Fiscal Year 1997, Pub. L. 104-201, § 638, 110 Stat. 2422, 2581 (1996), transferred responsibility for paying a guaranteed minimum annual income (the so-called minimum-income-widow annuity, or minimum income annuity) to the Secretary of Veterans Affairs from DOD. We have amended 38 CFR 3.811 accordingly.

This document merely restates statutory provisions. Accordingly, the provisions of 5 U.S.C. 553 regarding prior notice and public comment and delayed effective date are not applicable.

The Secretary hereby certifies that this rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This rule restates statutory provisions which only affect individuals. Therefore, pursuant to 5 U.S.C. 605(b), this rule is exempt from the initial and final regulatory flexibility analysis requirements of §§ 603 and 604.

The Catalog of Federal Domestic Assistance program number is 64.105.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Disability benefits, Health care, Pensions, Veterans, Vietnam.

Approved: October 29, 1998.

Togo D. West, Jr.,

Secretary of Veterans Affairs.

For the reasons set forth in the preamble, 38 CFR part 3 is amended as follows:

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

1. The authority citation for part 3, subpart A continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

2. In § 3.811, paragraph (d) is redesignated as paragraph (e); and the section heading and the heading for paragraph (a) are revised, a new paragraph (d) is added, and the authority citation at the end of the section is revised, to read as follows:

§ 3.811 Minimum income annuity and gratuitous annuity.

(a) *Eligibility for minimum income annuity.* * * *

* * * * *

(d) If the Department of Defense or the Department of Transportation determines that a minimum income annuitant also is entitled to the gratuitous annuity authorized by Pub. L. 100-456 as amended, which is payable to certain surviving spouses of servicemembers who died before November 1, 1953, and were entitled to retired or retainer pay on the date of death, VA will combine the payment of the gratuitous annuity with the minimum income annuity payment.

* * * * *

(Authority: Sec. 4, Pub. L. 92-425, 86 Stat. 706, 712, as amended (10 U.S.C. 1448 note))

[FR Doc. 98-30055 Filed 11-9-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX-80-1-7353; FRL-6173-8]

Approval and Promulgation of Implementation Plans(SIP); Texas: 1990 Base Year Emissions Inventories, 15% Rate of Progress Plans, Contingency Plans, and Motor Vehicle Emission Budgets

AGENCY: Environmental Protection Agency (EPA).

ACTION: Conditional interim final rule.

SUMMARY: In this action, the EPA is granting conditional interim approval of the 15% Rate-of-Progress (ROP) Plans and associated Motor Vehicle Emissions Budgets (MVEB) for the Dallas/Fort Worth, El Paso and Houston/Galveston ozone nonattainment areas. In addition, EPA is fully approving revisions to the 1990 base year emissions inventories and the contingency plans for the three areas. The 15% ROP Plans and MVEB's are receiving conditional interim approval, instead of full approval, because they rely on emission reductions from the Texas Inspection and Maintenance (I/M) Program which received final conditional interim approval on July 11, 1997 (62 FR

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