

Imports, Information and informational materials, International organizations, North Korea, Reporting and recordkeeping requirements, Securities, Services, Travel restrictions, Trusts and estates, Vietnam.

For the reasons set forth in the preamble, 31 CFR part 500 is amended as follows:

#### **PART 500—FOREIGN ASSETS CONTROL REGULATIONS**

1. The authority citation for part 500 continues to read as follows:

**Authority:** 50 U.S.C. App. 5, as amended; E.O. 9193, 7 FR 5205, 3 CFR, 1938–1943 Comp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR, 1943–1948 Comp., p. 748.

#### **Subpart E—Licenses, Authorizations and Statements of Licensing Policy**

2. Section 500.578 is revised to read as follows:

##### **§ 500.578 Vietnamese property unblocked.**

All transactions otherwise prohibited by this part which involve property in which a designated national of Vietnam has an interest are authorized.

Dated: February 22, 1995.

**R. Richard Newcomb,**

*Director, Office of Foreign Assets Control.*

Approved: February 23, 1995.

**John Berry,**

*Deputy Assistant Secretary (Enforcement).*

[FR Doc. 95–5858 Filed 3–6–95; 4:52 pm]

BILLING CODE 4810–25–F

#### **DEPARTMENT OF VETERANS AFFAIRS**

##### **38 CFR Part 3**

RIN 2900–AH09

#### **Special Monthly Compensation Ratings**

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Final rule.

**SUMMARY:** The Department of Veterans Affairs (VA) is amending its regulations concerning the rate of special monthly compensation payable to a veteran with a totally disabling service-connected disability who either has additional service-connected disability ratable at 60 percent or is permanently housebound by reason of service-connected disability. This change is necessary because of a General Counsel precedent opinion which held that the regulation restricts eligibility in a manner not authorized by the statute. The intended effect of this amendment is to bring the regulation into conformity with the statute.

**EFFECTIVE DATE:** This final rule is effective March 9, 1995.

**FOR FURTHER INFORMATION CONTACT:** Paul Trowbridge, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420, telephone (202) 273–7210.

**SUPPLEMENTARY INFORMATION:** Special monthly compensation is a benefit established by Congress to be paid for specified disabilities independent of any other compensation authorized by Title 38 U.S.C. 1114(a)–(j). 38 U.S.C. 1114(s) provides for payment of special monthly compensation for a veteran who has a service-connected disability rated as total and (1) has additional service-connected disability or disabilities independently ratable at 60 percent or more, or (2) is permanently housebound by reason of a service-connected disability or disabilities. 38 CFR 3.350(i), the implementing regulation, provides that the special monthly compensation rate under 38 U.S.C. 1114(s) is payable where the veteran has a single service-connected disability rated as 100 percent “without resort to individual unemployability” and meets the other criteria.

In a precedent opinion dated February 2, 1994 (OGC Prec 2–94), VA’s General Counsel held that the plain and unambiguous language of 38 U.S.C. 1114(s) does not restrict the nature of total ratings that may serve as a basis for entitlement to the rate of special monthly compensation which section 1114(s) authorizes. Based on that holding, the General Counsel found that the portion of 38 CFR 3.350(i) which precludes eligibility if the service-connected disability rated as total is so rated due to individual unemployability is an unauthorized restriction.

The General Counsel has recommended that the regulation be revised. We are, therefore, revising the text of 38 CFR 3.350(i) to remove the unauthorized restriction.

VA is issuing a final rule to amend the provisions of 38 CFR 3.350(i). Publication of this amendment as a proposed rule is unnecessary because this notice merely amends 38 CFR 3.350(i) to conform to the terms of the governing statute.

The Secretary hereby certifies that these regulatory amendments will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. The reason for this certification is that these amendments would not directly affect any small entities. Only VA

beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), these amendments are exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance program number is 64.109.

#### **List of Subjects in 38 CFR Part 3**

Administrative practice and procedure, Claims, Health care, Persons with disabilities, Pensions, Veterans.

Approved: November 23, 1994.

**Jesse Brown,**

*Secretary of Veterans Affairs.*

For the reasons set forth in the preamble, 38 CFR Part 3 is amended as set forth below:

#### **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. The introductory text of paragraph 3.350(i) is amended by removing the phrase “without resort to individual unemployability”.

[FR Doc. 95–5761 Filed 3–8–95; 8:45 am]

BILLING CODE 8320–01–P

#### **DEPARTMENT OF THE INTERIOR**

##### **Bureau of Land Management**

##### **43 CFR Public Land Order 7121**

[OR–943–1430–01; GP5–039; OR–19083]

#### **Partial Revocation of Executive Order Dated November 24, 1916; Oregon**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes an Executive order insofar as it affects 2.50 acres of land withdrawn for the Bureau of Land Management’s Powersite Reserve No. 566. The land is no longer needed for this purpose, and the revocation is needed to permit disposal of the land through sale. This action will open the land to surface entry subject to temporary segregations of record. The land has been and will remain open to mining and mineral leasing.

**EFFECTIVE DATE:** April 10, 1995.

**FOR FURTHER INFORMATION CONTACT:** Linda Sullivan, BLM Oregon/

Washington State Office, P.O. Box 2965, Portland, Oregon 97208-2965, 503-952-6171.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. The Executive Order dated November 24, 1916, which established Powersite Reserve No. 566, is hereby revoked insofar as it affects the following described land:

**Willamette Meridian**

T. 1 N., R. 19 E.,

Sec. 14, S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 2.50 acres in Gilliam County.

2. At 8:30 a.m. on April 10, 1995, the land described above will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 8:30 a.m. on April 10, 1995, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Dated: February 24, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95-5697 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-33-P

**43 CFR Public Land Order 7122**

[CA-010-1430-01; CACA 7645]

**Partial Revocation of Secretarial Order Dated July 9, 1927; California**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes a Secretarial Order dated July 9, 1927, insofar as it affects 160.02 acres of public land withdrawn for the Bureau of Land Management's Powersite Classification No. 183. The land is no longer needed for this purpose, and the revocation is necessary to facilitate the completion of a land exchange under Section 206 of the Federal Land Policy and Management Act of 1976. This action will open the land to surface entry unless closed by overlapping withdrawals or temporary segregations of record. The land has been and will remain open to mineral leasing. The Federal Energy Regulatory Commission has concurred with this action.

**EFFECTIVE DATE:** June 8, 1995.

**FOR FURTHER INFORMATION CONTACT:** Duane Marti, BLM California State Office, 2800 Cottage Way, Sacramento, California 95825, 916-979-2858.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. The Secretarial Order dated July 9, 1927, which withdrew lands for Powersite Classification No. 183, is hereby revoked insofar as it affects the following described land:

**Mount Diablo Meridian**

T. 17 N., R. 7 E.,

Sec. 2, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$  (described as sec. 2, E $\frac{1}{2}$ E $\frac{1}{2}$  in the original order).

The area described contains 160.02 acres in Yuba County.

2. The State of California, with respect to the land described in paragraph 1, has a preference right for public highway rights-of-way or material sites for a period of 90 days from the date of publication of this order and any location, entry, selection, or subsequent patent shall be subject to any rights granted the State as provided by the Act of June 10, 1920, Section 24, as amended, 16 U.S.C. 818 (1988).

3. At 10 a.m. on June 8, 1995, the land will be opened to the operation of the public land laws generally, subject to valid existing rights, the provision of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 8, 1995, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land has been open to mining under the provisions of the Mining Claim Rights Restoration Act of 1955, 30 U.S.C. 621 (1988), and these provisions are no longer required.

Dated: February 24, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95-5698 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-40-P

**43 CFR Public Land Order 7123**

[AK-932-1430-01; AA-62904]

**Revocation of Geological Survey Order dated April 23, 1948, as Modified; Alaska**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order revokes in its entirety a Geological Survey order as it affects approximately 5,000 acres of land withdrawn for power purposes at Taiya River. The land, which includes public land and land which has been conveyed out of Federal ownership, is no longer needed for the purpose for which it was withdrawn. The public land lies within the Klondike Gold Rush National Historical Park; the remainder has been conveyed to the State of Alaska.

**EFFECTIVE DATE:** March 9, 1995.

**FOR FURTHER INFORMATION CONTACT:** Sue A. Wolf, BLM Alaska State Office, 222 W. 7th Avenue, No. 13, Anchorage, Alaska 99513-7599, 907-271-5477.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. The Geological Survey Order dated April 23, 1948, as modified, which established Powersite Classification No. 396, is hereby revoked as it affects the following described land:

**Copper River Meridian**

Land located within T. 25 S., R. 60 E., T. 26 S., R. 59 E., and T. 26 S., R. 60 E., and more particularly described as:

Land located in approximate latitude 59°40' N., and longitude 135°16' W., being every smallest legal subdivision, any portion of which, when surveyed will be within  $\frac{1}{2}$  mile of Taiya River from the mouth of Nourse River to the International Boundary. The area described contains approximately 5,000 acres.

2. The public land described above will remain part of the Klondike Gold Rush National Historical Park as established by Public Law 94-323, 16 U.S.C. 410(bb)(1988). The remaining land described above has been conveyed out of Federal ownership subject to Section 24 of the Federal Power Act of June 10, 1920, 16 U.S.C. 818 (1988).

Dated: February 24, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95-5763 Filed 3-8-95; 8:45 am]

BILLING CODE 4310-JA-P

**Fish and Wildlife Service**

**50 CFR Part 17**

RIN 1018-AB88

**Endangered and Threatened Wildlife and Plants; Removal of Three Kangaroos From the List of Endangered and Threatened Wildlife**

**AGENCY:** Fish and Wildlife Service, Interior.