

compensation must promptly notify the Secretary in writing of any change affecting entitlement in any of the following:

- (1) Income;
- (2) Net worth or corpus of estate;
- (3) Marital status;
- (4) Nursing home patient status;
- (5) School enrollment status of a child 18 years of age or older; or
- (6) Any other factor that affects entitlement to benefits under the provisions of this part.

(b) Eligibility verification report. (1) For purposes of this section the term eligibility verification report means a form prescribed by the Secretary that is used to request income, net worth (if applicable), dependency status, and any other information necessary to determine or verify entitlement to pension or parents' dependency and indemnity compensation.

(2) The Secretary shall require an eligibility verification report under the following circumstances:

- (i) If the Social Security Administration has not verified the beneficiary's Social Security number and, if the beneficiary is married, his or her spouse's Social Security number;
- (ii) If there is reason to believe that the beneficiary or, if the spouse's income could affect entitlement, his or her spouse may have received income other than Social Security during the current or previous calendar year; or
- (iii) If the Secretary determines that an eligibility verification report is necessary to preserve program integrity.

(3) An individual who applies for or receives pension or parents' dependency and indemnity compensation as defined in § 3.3 or 3.5 shall, as a condition of receipt or continued receipt of benefits, furnish the Department of Veterans Affairs an eligibility verification report upon request.

(c) If VA requests that a claimant or beneficiary submit an eligibility verification report but he or she fails to do so within 60 days of the date of the VA request, the Secretary shall suspend the award or disallow the claim.

(Authority: 38 U.S.C. 1315(e) and 1506)

3. Section 3.277 is amended by revising the heading and paragraphs (b) and (c) and by adding paragraph (d) to read as follows:

**§ 3.277 Eligibility reporting requirements.**

\* \* \* \* \*

(b) Obligation to report changes in factors affecting entitlement. Any individual who has applied for or receives pension must promptly notify the Secretary in writing of any change

affecting entitlement in any of the following:

- (1) Income;
- (2) Net worth or corpus of estate;
- (3) Marital status;
- (4) Nursing home patient status;
- (5) School enrollment status of a child 18 years of age or older; or
- (6) Any other factor that affects entitlement to benefits under the provisions of this Part.

(c) Eligibility verification reports. (1) For purposes of this section the term eligibility verification report means a form prescribed by the Secretary that is used to request income, net worth, dependency status, and any other information necessary to determine or verify entitlement to pension.

(2) The Secretary shall require an eligibility verification report under the following circumstances:

- (i) If the Social Security Administration has not verified the beneficiary's Social Security number and, if the beneficiary is married, his or her spouse's Social Security number;
- (ii) If there is reason to believe that the beneficiary or his or her spouse may have received income other than Social Security during the current or previous calendar year; or
- (iii) If the Secretary determines that an eligibility verification report is necessary to preserve program integrity.

(3) An individual who applies for or receives pension as defined in § 3.3 shall, as a condition of receipt or continued receipt of benefits, furnish the Department of Veterans Affairs an eligibility verification report upon request.

(d) If VA requests that a claimant or beneficiary submit an eligibility verification report but he or she fails to do so within 60 days of the date of the VA request, the Secretary shall suspend the award or disallow the claim.

\* \* \* \* \*

[FR Doc. 95-11880 Filed 5-12-95; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MM Docket No. 94-127; RM-8537]

**Radio Broadcasting Services; Wright City, OK**

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal of.

SUMMARY: The Commission, at the request of Texarkana Broadcasting, Incorporated, dismisses its request to

allot Channel 277A to Wright City, OK, as the community's first local aural service. See 59 FR 59744, November 18, 1994. No interest in applying for the channel was received by the Commission. With this action, this proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 94-127, adopted May 3, 1995, and released May 10, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, D.C. 20037.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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**47 CFR Part 73**

[MM Docket No. 94-123, DA 95-1055]

**Television Broadcasting; Prime Time Access Rule**

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of reply comment period.

SUMMARY: The Commission granted a request by the Coalition to Enhance Diversity for an extension of time for filing reply comments in this proceeding. The Commission determined that the extension of time was warranted in light of the time necessary to compile information critical to resolution of the numerous and complex issues raised in this proceeding. This action will facilitate the development of a full and complete record on these issues.

DATES: Reply comments are now due on May 26, 1995.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Alan E. Aronowitz, Mass Media Bureau, (202) 776-1653.

SUPPLEMENTARY INFORMATION:

Adopted: May 8, 1995.

Released: May 8, 1995.

By the Chief, Mass Media Bureau:

1. On October 25, 1994, the Commission released a *Notice of Proposed Rule Making* in MM Docket No. 94-123, 59 FR 55402 (1994) ("Notice"), soliciting comment on the legal and policy justifications, in light of current economic and technological conditions, for the Prime Time Access Rule, Section 73.658(k) of the Commission's Rules, and to consider the continued need for the rule in its current form. By an *Order* adopted on December 7, 1994, the deadline for filing comments was extended to March 7, 1995, and the deadline for filing reply comments was extended to April 6, 1995. See *Order Granting Extension of Time for Filing Comments and Reply Comments* in MM Docket No. 94-123, 59 FR 64382 (1994). At the request of a number of commenters in this proceeding, the time for filing reply comments was substantially extended to May 12, 1995. See *Order Granting Extension of Time for Filing Comments and Reply Comments* in MM Docket No. 94-123, 60 FR 18793 (April 13, 1995).

2. On May 3, 1995, a motion for a further extension of time for filing reply comments in this proceeding was filed by the Coalition to Enhance Diversity, which states that it is authorized to represent the Association of Independent Television Stations, Inc., Capital Cities/ABC, Inc., CBS Inc., King World Productions, Inc., the Media Access Project, the Motion Picture Association of America, Inc., the National Broadcasting Company, Inc., the Network Affiliated Stations Alliance, and Viacom, Inc. ("Joint Petitioners") in this request. The motion requests that the deadline for filing reply comments be extended from May 12, 1995, to May 26, 1995.

3. The Joint Petitioners contend that the comments filed in this proceeding include detailed economic studies on all sides of the issues raised in the *Notice*. In order to properly evaluate these various economic studies, the parties have agreed to make available certain data underlying those studies, which information has recently become available and accessible for review at the Commission. (To accommodate the parties, this information is available at the Commission's Washington, D.C., headquarters and at the field office in Hayward, California.) These parties, who take differing views on the continued need for the Prime Time Access Rule, state that a brief extension of time will permit the completion of the evaluations and critiques of the comprehensive economic analyses submitted in this proceeding as called for in the *Notice*. These parties maintain that the grant of this request for a short

extension of time will serve the public interest by permitting a more thorough public and industry review of the economic data, which would, in turn, facilitate the submission of reply comments that will prove more useful in generating the comprehensive record that the Commission seeks in this proceeding.

4. As set forth in § 1.46 of the Commission's Rules, 47 CFR 1.46, it is our policy that extensions of time for filing comments in rulemaking proceedings shall not be routinely granted. However, under the circumstances described above, we believe that the requested extension of time to file reply comments is warranted. This extension of time should facilitate the development of a full and complete record on the issues raised in the *Notice* and, thus, it appears reasonable to provide the commenting parties additional time to analyze and address these issues.

5. Accordingly, It is Ordered that the above-mentioned motion for an extension of time Is Granted, and that the time for filing reply comments in this proceeding is Extended to May 26, 1995.

6. This action is taken pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.204(b), 0.283, and 1.45 of the Commission's Rules.

Federal Communications Commission.

**Roy J. Stewart,**

*Chief, Mass Media Bureau.*

[FR Doc. 94-11856 Filed 5-12-94; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 70-27, Notice 33 and Docket No. 83-07, Notice 7]

RIN 2127-AF13

#### Federal Motor Vehicle Safety Standards; Burnish Procedures for Heavy Vehicles

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Termination of rulemaking proceeding.

**SUMMARY:** This notice terminates rulemaking to amend Standard No. 105, *Hydraulic Brake Systems*, and Standard No. 121, *Air Brake Systems*, with respect to the burnish procedures for

medium and heavy vehicles. The agency has determined that it would be unnecessary to extend the period during which a manufacturer may choose between two burnish procedures since manufacturers have been certifying compliance to the brake standards based on the "new" more representative burnish procedure since September 1994.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard C. Carter, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SA., Washington, DC 20590. (202-366-5274).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Standard No. 105, *Hydraulic Brake Systems*, and Standard No. 121, *Air Brake Systems* (49 CFR 571.121), specify tests to measure whether medium and heavy vehicles<sup>1</sup> equipped with hydraulic or air brakes comply with the standards' performance requirements. These vehicles are subject to "burnish" procedures conducted at the outset of road testing and dynamometer testing. The burnish procedures serve to simulate the breaking-in of the brakes on new vehicles under normal driving conditions.

Until September 1, 1994, the standards contained old and new burnish procedures, identified in the standards as option "a" and option "b," respectively. The old burnish procedure consisted of a series of brake applications, known as "snubs," that result in the brakes being heated to not more than the specified maximum temperature of 550 °F.

In response to a petition from International Harvester, the agency amended the burnish procedures in a final rule published on March 14, 1988 (49 FR 8191). The agency initiated rulemaking because the temperature limit, which was established with drum brake designs in mind, appeared inappropriate for disc brake designs. Disc brake systems are designed to operate at appreciably higher temperatures than are drum brake systems. As a result, it had been difficult to avoid exceeding the specified maximum temperature during the burnish of vehicles with disc brake systems.

After issuing several notices, the agency added a new burnish procedure in 1988 providing that the brakes on heavy duty vehicles are to be burnished by 500 snubs slowing the vehicle from 40 mph to 20 mph, without regard to

<sup>1</sup> Hereafter, referred to as heavy vehicles.