

UNITED STATES INFORMATION AGENCY

Culturally Significant Objects Imported for Exhibition Determinations

Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978), and Delegation Order No. 85-5 of June 27, 1985 (50 FR 27393, July 2, 1985), I hereby determine that the ten objects (See list ¹), to be exhibited in the Korean galleries of the Asian Art Museum in San Francisco, imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the exhibition or display of the listed exhibit objects at the Asian Art Museum of San Francisco from on or about May 2, 1997, through March 1, 1999, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

Dated: March 27, 1997.

Les Jin,
General Counsel.

[FR Doc. 97-8220 Filed 3-31-97; 8:45 am]

BILLING CODE 8230-01-M

Culturally Significant Objects Imported for Exhibition Determinations

Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978), and Delegation Order No. 85-5 of June 27, 1985 (50 FR 27393, July 2, 1985), I hereby determine that the objects to be included in the exhibit, "Rodin and Michelangelo" (See list ¹), imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the exhibition or display of the listed exhibit objects at The Philadelphia Museum of Art from on or about March

30, 1997, through June 22, 1997, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

Dated: March 27, 1997.

Les Jin,
General Counsel.

[FR Doc. 97-8219 Filed 3-31-97; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF VETERANS AFFAIRS

Summary of Precedent Opinions of the General Counsel.

AGENCY: Department of Veterans Affairs.
ACTION: Notice.

SUMMARY: The Department of Veterans Affairs (VA) is publishing a summary of legal interpretations issued by the Department's General Counsel involving veterans' benefits under laws administered by VA. These interpretations are considered precedential by VA and will be followed by VA officials and employees in future claim matters. The summary is published to provide the public, and, in particular, veterans' benefit claimants and their representatives, with notice of VA's interpretation regarding the legal matter at issue.

FOR FURTHER INFORMATION CONTACT: Jane L. Lehman, Chief, Law Library, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-6558.

SUPPLEMENTARY INFORMATION: VA regulations at 38 CFR 2.6(e)(9) and 14.507 authorize the Department's General Counsel to issue written legal opinions having precedential effect in adjudications and appeals involving veterans' benefits under laws administered by VA. The General Counsel's interpretations on legal matters, contained in such opinions, are conclusive as to all VA officials and employees not only in the matter at issue but also in future adjudications and appeals, in the absence of a change in controlling statute or regulation or a superseding written legal opinion of the General Counsel.

VA publishes summaries of such opinions in order to provide the public with notice of those interpretations of the General Counsel that must be followed in future benefit matters and to assist veterans' benefit claimants and their representatives in the prosecution of benefit claims. The full text of such opinions, with personal identifiers deleted, may be obtained by contacting the VA official named above.

VAOPGCPREC 1-97

Question Presented

Are distributions from an individual retirement account (IRA) countable as income for purposes of the improved pension program, the section 306 pension program, the old law pension program, and parents' dependency and indemnity compensation (DIC)?

Held

Distributions from an individual retirement account are fully countable as income for purposes of the improved pension program. Ten percent of such distributions may be excluded from income for purposes of benefits under the section 306 pension program, benefits under the old law pension program, and parents' dependency and indemnity compensation payable under 38 U.S.C. 1315.

Effective Date: January 8, 1997.

VAOPGCPREC 2-97

Questions Presented

a. May service connection be established for a disability resulting from a veteran's own alcohol or drug abuse, based on the aggravation of such disability by a service-connected disability? b. Does a Board of Veterans' Appeals decision based on an erroneous interpretation of law bind the Veterans Benefits Administration?

Held

a. Section 8052 of the Omnibus Budget Reconciliation Act of 1990, Pub. L. No. 101-508, section 8052, 104 Stat. 1388, 1388-351, prohibits, effective for claims filed after October 31, 1990, the payment of compensation for a disability that is a result of a veteran's own alcohol or drug abuse. The payment of compensation is prohibited whether the claim is based on direct service connection or, under 38 CFR 3.310(a), on secondary service connection of a disability proximately due to or a result of a service-connected condition. Further, compensation is prohibited regardless of whether compensation is claimed on the basis that a service-connected disease or injury caused the disability or on the basis that a service-connected disease or injury aggravated the disability.

b. A Board of Veterans' Appeals decision based on an erroneous interpretation of law remains final and binding on all VA components, including the Veterans Benefits Administration, in the absence of reconsideration by the Board.

Effective Date: January 16, 1997.

¹ A copy of this list may be obtained by contacting Ms. Neila Sheahan, Assistant General Counsel, at 202/619-5030, and the address is Room 700, U.S. Information Agency, 301 4th Street, SW., Washington, DC. 20547-0001.

¹ A copy of this list may be obtained by contacting Ms. Neila Sheahan, Assistant General Counsel, at 202/619-5030, and the address is Room 700, U.S. Information Agency, 301 4th Street, SW., Washington, DC 20547-0001.