

plot or interment allowance under § 3.1707, if VA has evidence that the U.S., a State, any agency or political subdivision of the U.S. or of a State, or the employer of the deceased veteran has paid or contributed payment to the veteran's plot or interment expenses, VA will pay the claimant up to the lesser of:

(1) The allowable statutory amount; or

(2) The amount of the total plot or interment expenses minus the amount of expenses paid by any or all of the organizations described in this paragraph (a).

(b) *Burial expenses paid by other agencies of the U.S.* (1) *Burial allowance when Federal law or regulation also provides for payment.* VA cannot pay the non-service-connected burial allowance when any Federal law or regulation also specifically provides for the payment of the deceased veteran's burial, funeral, or transportation expenses. However, VA will pay the non-service-connected burial allowance when a Federal law or regulation allows the payment of burial expenses using funds due, or accrued to the credit of, the deceased veteran (such as Social Security benefits), but the law or regulation does not specifically require such payment. In such cases, VA will pay the maximum amount specified in 38 U.S.C. 2302.

(2) *Payment by military service department.* VA will not pay or will recoup the non-service-connected burial allowance for deaths occurring during active service or for other deaths for which the service department pays the burial, funeral, or transportation expenses.

(3) *When a veteran dies while hospitalized.* When a veteran dies while hospitalized at the expense of the U.S. government (including, but not limited to, death in a VA facility) and benefits would be otherwise be payable under 10 U.S.C. 1482 and a provision of this subpart B, only one of these benefits is payable. VA will attempt to locate a relative of the veteran, in the priority order described in § 3.1702(b), or person entitled to reimbursement and will ask that person to elect between these benefits.

(Authority: 38 U.S.C. 2302, 2303(b))

### § 3.1712 Effect of forfeiture on payment of burial benefits.

(a) *Forfeiture for fraud.* VA will pay burial benefits, if otherwise in order, based on a deceased veteran who forfeited his or her right to receive benefits due to fraud under § 3.901, Fraud. However, VA will not pay burial benefits to a claimant who participated

in fraudulent activity that resulted in forfeiture under § 3.901.

(b) *Forfeiture for treasonable acts or for subversive activity.* VA will not pay burial benefits based on a period of service commencing before the date of commission of the offense if either the veteran or the claimant has forfeited the right to all benefits except insurance payments under § 3.902, Forfeiture for treasonable acts, or § 3.903, Forfeiture for subversive activities, because of a treasonable act or subversive activities, unless the offense was pardoned by the President of the U.S.

(Authority: 38 U.S.C. 6103, 6104, 6105)

Cross Reference: § 3.1(aa), for the definition of "fraud."

### § 3.1713 Eligibility based on status before 1958.

When any person dies who had a status under any law in effect on December 31, 1957, that afforded entitlement to burial benefits, burial benefits will be paid, if otherwise in order, even though such status does not meet the service requirements of 38 U.S.C. chapter 23.

(Authority: 38 U.S.C. 2305)

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2013-0770; FRL-9904-17]

#### Notice of Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities; Corrections

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of filing of petitions; corrections.

**SUMMARY:** EPA issued documents in the *Federal Register* of July 25, 2012, and January 16, 2013, concerning a new active ingredient (AI) and several pesticide petitions (PP) filed for residues of pesticide chemicals. The name of an AI was changed during the registration assessment process. This document corrects the name of an AI and also corrects a PP number.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2013-0770, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West

Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Robert McNally, Biopesticides and Pollution Prevention Division (BPPD) (7511P); telephone number: (703) 305-7090; email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@epa.gov) or Lois Rossi, Registration Division (RD) (7505P); telephone number: (703) 305-7090; email address: [RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov). The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each correction.

#### SUPPLEMENTARY INFORMATION:

##### I. Does this action apply to me?

The Agency included in the July 25, 2012, and January 16, 2013 documents a list of those who may be potentially affected by this action.

##### II. What does this correction do?

1. *EPA-HQ-OPP-2012-0389.* In FR Doc. 2012-17899, published in the *Federal Register* of July 25, 2012 (77 FR 43562) (FRL-9353-6), is corrected as follows: On page 43566, under the heading "New Tolerance Exemptions," third column, paragraph number 4., *PP 2F8014*, lines 7 and 12, correct "GS-U-ACTX-Hv1a-SEQ2" to read "GS-omega/kappa-Hxtx-Hv1a." (BPPD)

2. *EPA-HQ-OPP-2012-0926.* In FR Doc. 2013-00714, published in the *Federal Register* of January 16, 2013 (78 FR 3377) (FRL-9375-4), is corrected as follows: On page 3380, under the heading "Amended Tolerances," third column, paragraph number 7., line 1, correct "*PP 2F8155*" to read "*PP 2F8115*." (RD)

##### List of Subjects in 40 CFR Part 180

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 11, 2013.

**Lois Rossi,**

*Director, Registration Division, Office of  
Pesticide Programs.*

[FR Doc. 2013-30135 Filed 12-17-13; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### 49 CFR Part 381

[Docket No. FMCSA-2013-0097]

#### Physical Qualification of Drivers; Standards; Changes to Vision Exemption Program Criteria

**AGENCY:** Federal Motor Carrier Safety  
Administration (FMCSA), DOT.

**ACTION:** Proposed change to criteria;  
request for comments.

**SUMMARY:** FMCSA proposes changes to the eligibility requirements for the Agency's Vision Exemption Program. Obtaining an exemption enables an individual to operate commercial motor vehicles (CMVs) in interstate commerce without satisfying all of the prescribed vision standards. The Agency has determined that these proposed changes in the eligibility criteria and conditions for the Vision Exemption Program will continue to ensure a level of safety that is equivalent to, or greater than, the level of safety maintained under the existing criteria.

**DATES:** Send your comments on or before January 17, 2014.

**ADDRESSES:** You may submit comments identified by Docket Number FMCSA-2013-0097 by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251.

To avoid duplication, please use only one of these four methods.

*Instructions:* All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information, see the Public Participation

heading below, as well as the Request for Information and Comments heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets, or go to the street address listed above.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the U.S. Department of Transportation's (DOT) Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://www.gpo.gov/fdsys/pkg/FR-2008-01-17/pdf/E8-785.pdf>.

*Public participation:* The Federal eRulemaking Portal is generally available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the "help" section of the Federal eRulemaking Portal Web site. If you would like us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on-line.

Comments received after the comment closing date will be included in the docket and we will consider late comments to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elaine Papp, (202) 366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov), U.S. Department of Transportation, FMCSA, 1200 New Jersey Avenue SE., Room W64-224, Washington, DC 20590-0001. Business hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

##### *A. FMCSA's Vision Standard*

FMCSA's primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. Under the provisions of 49 U.S.C. 31136(a) and 31502(b), FMCSA is authorized to establish minimum qualification standards for drivers of CMVs operating in interstate commerce. To ensure the

medical fitness of CMV drivers for duty, the Agency established a number of physical qualifications for drivers under 49 CFR 391.41(b). Adequate visual function is necessary for safe driving. The current vision standard pertains to acuity (the ability to see at a distance), field of vision (the ability to see peripherally), and the ability to detect and distinguish colors. Specifically, 49 CFR 391.41(b)(10) states that a person is physically qualified to drive a CMV in interstate commerce if that person has:

- (1) distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses;
- (2) distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses;
- (3) field of vision of at least 70° in the horizontal meridian in each eye; and
- (4) the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.

##### *B. FMCSA's Vision Exemption Program and Criteria*

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may exempt a CMV driver from application of the vision standards if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption." The current Vision Exemption Program was established in 1998, following the enactment of amendments to the statutes governing exemptions made by § 4007 of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 401 (June 9, 1998). Applications are now handled in accordance with 49 CFR part 381 subpart C. Qualifying individuals may apply for an exemption for up to two years from specified provisions of the Federal Motor Carrier Safety Regulations, including physical qualification standards specified under § 391.41(b) (see 49 CFR 381.300(c)). Vision exemptions are considered under the procedures established in 49 CFR part 381 subpart C, on a case-by-case basis upon application by CMV drivers who do not meet the vision standards of 49 CFR 391.41(b)(10).

##### **Current Criteria and Conditions**

##### *A. Current Criteria for Considering Exemptions From the Vision Standards*

The criteria currently considered when reviewing an application for an exemption have been in place since the program began in 1998. They are consistent with criteria used in the preceding Vision Waiver Program. In