

(ii) Violating a condition of probation or parole imposed for commission of a felony under Federal or State law.

(3) For purposes of paragraph (n) of this section, the term *felony* includes a high misdemeanor under the laws of a State which characterizes as high misdemeanors offenses that would be felony offenses under Federal law.

(4) For purposes of paragraph (n) of this section, the term *dependent* means a spouse, surviving spouse, child, or dependent parent of a veteran.

(Authority: 38 U.S.C. 501(a), 5313, 5313B; Sec. 506, Pub. L. 107-103, 115 Stat. 996-997)

■ 20. Section 3.666 is amended by:

■ A. Revising the section heading.

■ B. In the introductory text, removing "Where" and adding, in its place, "If"; removing "Payments" and adding, in its place, "However, no apportionment will be made if the veteran or the dependent is a fugitive felon as defined in paragraph (e) of this section. Payments", and removing "received in" and adding, in its place, "received by".

■ C. Adding paragraph (e).

The revision and additions read as follows:

§ 3.666 Incarcerated beneficiaries and fugitive felons—pension.

* * * * *

(e) *Fugitive felons.*

(1) Pension is not payable on behalf of a veteran for any period during which he or she is a fugitive felon. Pension or death pension is not payable on behalf of a dependent of a veteran for any period during which the veteran or the dependent is a fugitive felon.

(2) For purposes of this section, the term *fugitive felon* means a person who is a fugitive by reason of:

(i) Fleeing to avoid prosecution, or custody or confinement after conviction for an offense, or an attempt to commit an offense, which is a felony under the laws of the place from which the person flees; or

(ii) Violating a condition of probation or parole imposed for commission of a felony under Federal or State law.

(3) For purposes of paragraph (e) of this section, the term *felony* includes a high misdemeanor under the laws of a State which characterizes as high misdemeanors offenses that would be felony offenses under Federal law.

(4) For purposes of paragraph (e) of this section, the term *dependent* means a spouse, surviving spouse, child, or dependent parent of a veteran.

(Authority: 38 U.S.C. 501(a), 5313, 5313B)

■ 21. Section 3.801 is amended by:

■ A. In paragraph (e), removing "§§ 3.551 and 3.557" and adding, in its place, "§ 3.551".

■ B. Adding an authority citation at the end of the section.

The addition reads as follows:

§ 3.801 Special acts.

* * * * *

(Authority: 38 U.S.C. 501(a), 5503)

■ 22. Section 3.852 is amended by:

■ A. In paragraph (a)(2), removing the semicolon and adding, in its place, a period.

■ B. Removing paragraph (a)(3).

■ C. Revising the authority citation at the end of paragraph (a).

■ D. Removing paragraph (d), and redesignating paragraph (e) as paragraph (d).

The revision reads as follows:

§ 3.852 Institutional awards.

(a) * * *

(Authority: 38 U.S.C. 501(a); 5307; 5502)

* * * * *

§ 3.853 [Amended]

■ 23. Section 3.853 is amended by removing paragraph (d)..

■ 24. Section 3.1007 is amended by:

■ A. Removing "under § 3.557(b)" and adding, in its place, "under former § 3.557(b) (as applicable prior to December 27, 2001)".

■ B. Removing "the amount specified in § 3.557(b)(4)" and adding, in its place, "the statutory maximum".

■ C. Revising the authority citation at the end of the section.

The revision reads as follows:

§ 3.1007 Hospitalized incompetent veterans.

* * * * *

(Authority: 38 U.S.C. 5503)

PART 13—VETERANS BENEFITS ADMINISTRATION, FIDUCIARY ACTIVITIES

■ 25. The authority citation for part 13 continues to read as follows:

Authority: 72 Stat. 1114, 1232, as amended, 1237; 38 U.S.C. 501, 5502, 5503, 5711, unless otherwise noted.

■ 26. Section 13.70 is amended by:

■ A. Redesignating paragraph (a)(1) as paragraph (a) and removing paragraph (a)(2).

■ B. Adding an authority citation at the end of the section.

The addition reads as follows:

§ 13.70 Apportionment of benefits to dependents.

* * * * *

(Authority: 38 U.S.C. 501, 512, 5502, 5503)

■ 27. Section 13.71 is amended by:

■ A. Removing paragraph (a) heading and paragraph (b).

■ B. Redesignating paragraphs (a)(1) through (a)(1)(iii) as paragraphs (a) through (a)(3), respectively.

■ C. Redesignating paragraphs (a)(2) through (a)(2)(iii) as paragraphs (b) through (b)(3), respectively; and redesignating paragraph (a)(3) as paragraph (c).

■ D. In newly redesignated paragraph (a) introductory text and paragraph (c), removing "(a)(2)" and adding, in its place, "(b)".

■ E. In newly redesignated paragraph (b)(3), removing "shall determine" and adding, in its place, "determines".

■ F. In newly redesignated paragraph (c), removing "may" and adding, in its place, "will".

■ G. Revising the authority citation.

The revision reads as follows:

§ 13.71 Payment of cost of veteran's maintenance in institution.

* * * * *

(Authority: 38 U.S.C. 501, 512, 5502, 5503)

§§ 13.74 through 13.77 [Removed and Reserved]

■ 28. Sections 13.74 through 13.77 are removed and reserved.

■ 29. Section 13.107 is amended by revising the authority citation to read as follows:

§ 13.107 Accounts of chief officers of public or private institutions.

* * * * *

(Authority: 38 U.S.C. 5502)

§§ 13.108 and 13.109 [Removed and Reserved]

■ 30. Sections 13.108 and 13.109 are removed and reserved.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KS 179-1179a; FRL-7510-4]

Approval and Promulgation of Implementation Plans; State of Kansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking final action to approve a revision to the State Implementation Plan (SIP) submitted by the state of Kansas. The purpose of this revision is to delete the Wyandotte County Air Pollution Control Regulations from the Federally-Approved Regulations. These regulations were originally incorporated