

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone: 817-222-5793.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on August 5, 1999, (64 FR 42592). The FAA uses the direct final rulemaking procedure for a noncontroversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on November 4, 1999. No adverse comments were received, and, thus, this action confirms that this direct final rule will be effective on that date.

Issued in Fort Worth, TX, on September 27, 1999.

**Robert N. Stevens,**  
Acting Manager, Air Traffic Division,  
Southwest Region.

[FR Doc. 99-26049 Filed 10-5-99; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-AGL-43]

#### Modification of Class E Airspace; Madison, WI

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Madison, WI. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (Rwy) 21, and a VHF Omnidirectional Range (VOR) SIAP to Rwy 21, have been developed for Dane County Regional Airport-Truax Field. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approaches. This action increases the radius of the existing controlled airspace for this airport.

**EFFECTIVE DATE:** 0901 UTC, December 30, 1999.

**FOR FURTHER INFORMATION CONTACT:** Denis C. Burke, Air Traffic Division, Airspace Branch, AGL-520, Federal

Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### SUPPLEMENTARY INFORMATION:

##### History

On Friday, July 23, 1999, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Madison, WI (64 FR 39949). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. One comment strongly supporting the proposal was received from the Wisconsin Department of Transportation. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9G dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

##### The Rule

This amendment to 14 CFR part 71 modifies Class E airspace at Madison, WI, to accommodate aircraft executing the proposed GPS Rwy 21 SIAP and VOR Rwy 21 SIAP at Dane County Regional Airport-Truax Field by modifying the existing controlled airspace. The area will be depicted on appropriate aeronautical charts.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 95665, 3 CFR, 1959-1963 Comp., p. 389.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

##### AGL WI E5 Madison, WI [Revised]

Madison, Dane County Regional Airport-Truax Field, WI

(Lat. 43°08'23" N., long. 89°20'15" W.)

Middleton, Morey Airport, WI

(Lat. 43°06'51" N., long. 89°31'51" W.)

That airspace extending upward from 700 feet above the surface within an 8.8-mile radius of Dane County Regional Airport-Truax Field and within 2.6 miles either side of the 188° bearing from the airport extending from the 8.8-mile radius to 13.9 miles south of the airport, and within a 6.3-mile radius of Morey Airport.

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Issued in Des Plaines, Illinois on September 22, 1999.

**Christopher R. Blum,**  
Manager, Air Traffic Division.

[FR Doc. 99-26048 Filed 10-5-99; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 3

RIN 2900-AJ61

#### Returned and Canceled Checks

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

**SUMMARY:** This document amends the Department of Veterans Affairs (VA) adjudication regulations governing payment of the proceeds of checks which are returned and canceled following the death of the payee. This amendment is necessary to implement a statutory amendment that deleted the requirement for settlement by the General Accounting Office prior to payment of these proceeds to an estate. This document also makes nonsubstantive changes for purposes of clarity.

**DATES:** *Effective Date:* October 19, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Warren Jones, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 273-7167.

**SUPPLEMENTARY INFORMATION:** Section 5122 of title 38, United States Code, governs payment of the proceeds of VA benefit check(s) received by a payee but not negotiated before his or her death. VA has implemented section 5122 at 38 CFR 3.1003.

Under section 5122, VA shall upon return and cancellation of an original benefit check pay the amount represented by the check in the same manner as it pays accrued benefits under 38 U.S.C. 5121. Section 5121 requires VA to pay accrued benefits to the first living person(s) in the following order: (A) veteran's spouse; (B) veteran's children (in equal shares); and (C) veteran's dependent parents (in equal shares). Section 5121(a)(5) also provides that, "[i]n all other cases," accrued benefits may be paid only as necessary to reimburse the person who bore the expenses of the payee's last sickness and burial. Section 5122 further provides that any amount not paid in this manner shall be paid to the estate of the deceased payee, unless the estate will escheat, i.e., revert to the state because there is no one eligible to inherit it.

Prior to October 19, 1996, section 5122 required settlement by the General Accounting Office (GAO) before payment could be made to an estate. However, section 202(t) of the General Accounting Office Act of 1996, Public Law 104-316, effective October 19, 1996, amended section 5122 to delete reference to settlement by GAO. VA's Office of the General Counsel has advised that under section 5122, VA is now authorized to pay amounts due to the estates of deceased payees without reference to any other agency. We are, therefore, amending 38 CFR 3.1003(b) to bring VA's regulation into conformity

with the amended statute by removing reference to settlement by GAO.

We also are amending § 3.1003(b) to replace the legal term "escheat" with the words "revert to the state because there is no one eligible to inherit it." We believe that many will not understand the term "escheat" and have, therefore, chosen to replace it with words that express the same legal meaning but are easier for the general public to understand.

The effective date of this amendment is October 19, 1996, the effective date of section 202(t) of Public Law 104-316.

This final rule reflects statutory amendments and makes nonsubstantive changes. Accordingly, there is a basis for dispensing with prior notice and comment and delayed effective date provisions of 5 U.S.C. 552 and 553.

Because no notice of proposed rule making was required in connection with the adoption of this final rule, no regulatory flexibility analysis is required under the Regulatory Flexibility Act (5 U.S.C. 601-612). Even so, the Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance program numbers are 64.102, 64.104, 64.105, 64.109, and 64.110.

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

Administrative practice and procedure, Claims, Disability benefits, Health care, Pensions, Veterans, Vietnam.

Approved: September 14, 1999.

**Togo D. West, Jr.,**

*Secretary of Veterans Affairs.*

For the reasons set forth in the preamble, 38 CFR part 3 is amended as follows:

**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.

**§ 3.1003 [Amended]**

2. In § 3.1003, paragraph (b) is amended by removing "upon settlement by the General Accounting Office"; and by removing "escheat" and adding, in its place, "revert to the state because there is no one eligible to inherit it".

[FR Doc. 99-26066 Filed 10-5-99; 8:45 am]

BILLING CODE 8320-01-P

**DEPARTMENT OF VETERANS AFFAIRS**

**38 CFR Part 17**

**RIN 2900-AJ18**

**Enrollment—Provision of Hospital and Outpatient Care to Veterans**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends VA's medical regulations. The Veterans' Health Care Eligibility Reform Act of 1996 mandates that VA implement a national enrollment system to manage the delivery of healthcare services. Accordingly, the medical regulations are amended to establish provisions consistent with this mandate. Starting October 1, 1998, most veterans were required to be enrolled in the VA healthcare system as a condition of receiving VA hospital and outpatient care. Veterans will be allowed to apply to be enrolled at any time. They will be eligible to be enrolled based on funding availability and their priority status. In accordance with statutory provisions, the final rule also states that some categories of veterans are eligible for VA hospital and outpatient care even if not enrolled. This document further establishes a "medical benefits package" setting forth, with certain exceptions, the hospital and outpatient care that will be provided to enrolled veterans and certain other veterans.

Moreover, this document announces that VA will enroll all 7 priority categories of veterans for the period October 1, 1999 through September 30, 2000, unless it is necessary to change this determination by a subsequent rulemaking document.

**DATES:** *Effective Date:* November 5, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Roscoe Butler, Health Administration Service, (10C3), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273-8302. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** In a document published in the **Federal Register** on July 10, 1998 (63 FR 37299), we proposed to amend the medical regulations at 38 CFR part 17. Public Law 104-262, the Veterans' Health Care Eligibility Reform Act of 1996, mandates that VA implement a national enrollment system to manage the delivery of healthcare services. Public Law 104-262 also contains priority categories for determining eligibility for enrollment. Accordingly, we proposed