

unnecessary, and contrary to public interest.

Executive Order 12866

This document has been reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

The Secretary hereby certifies that this interim 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, 5 U.S.C. 601–612. Only individual VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), this interim final rule is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

Catalog of Federal Domestic Assistance Numbers

The Catalog of Federal Domestic Assistance program number for this document is 64.202.

List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Cemeteries, Veterans.

Approved: August 4, 2003.

Anthony J. Principi,
Secretary of Veterans Affairs.

■ For the reasons set out in the preamble, 38 CFR part 1 is amended as set forth below:

PART 1—GENERAL PROVISIONS

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

Authority: 38 U.S.C. 501(a), unless otherwise noted.

■ 2. Add a new § 1.631 to read as follows:

§ 1.631 Appropriate markers for graves already marked at private expense.

(a) VA will furnish an appropriate Government marker for the grave of a decedent described in paragraph (b) of this section, but only if the individual requesting the marker certifies on VA Form 40–1330 that it will be placed on the grave for which it is requested or, if placement on the grave is impossible or impracticable, as close to the grave as possible within the grounds of the private cemetery where the grave is located.

(b) The decedent referred to in paragraph (a) of this section is one who:

- (1) Died on or after September 11, 2001;
- (2) Is buried in a private cemetery; and
- (3) Was eligible for burial in a national cemetery, but is not an

individual described in 38 U.S.C. 2402(4), (5), or (6).

(c) VA will deliver the marker directly to the cemetery where the grave is located or to a receiving agent for delivery to the cemetery.

(d) VA will not pay the cost of installing a Government marker in a private cemetery.

(e) The applicant must obtain certification on VA Form 40–1330 from a cemetery representative that the type and placement of the marker requested adheres to the policies and guidelines of the selected private cemetery.

(f) VA will furnish its full product line of Government markers for private cemeteries.

(g) The authority to furnish a marker under this section expires on December 31, 2006.

(Authority: 38 U.S.C. 501, 2306)

(The Office of Management and Budget has approved the information collection requirements in this section under control number 2900–0222.)

[FR Doc. 03–24214 Filed 9–24–03; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[WT Docket No. 01–146; RM–9966; FCC 03–35]

Applications and Licensing of Low Power Operations in the Private Land Mobile Radio 450–470 MHz Band; Corrections

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Communications Commission published a document in the *Federal Register* on April 21, 2003, (68 FR 19444), a document revising Commission rules inadvertently listed frequencies in § 90.35(b)(3) as 462/467.23152, also it changes the limit of the maximum antenna height from 23 meters (75 feet) in § 90.267(d)(2) and finally it corrects the listing of frequency pairs in 90.267(d)(4). This document revises these sections.

DATES: Effective September 25, 2003.

FOR FURTHER INFORMATION CONTACT:

Brian Marengo, Electronics Engineer, bmarengo@fcc.gov, or Genevieve Ross, Esquire, gaugusti@fcc.gov, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, (202) 418–0680.

SUPPLEMENTARY INFORMATION: This is a summary of the FCC's Erratum, FCC 03–35, released on March 11, 2003. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the FCC's copy contractor, Qualex International, 445 12th Street, SW., Room CY–B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418–7426 or TTY (202) 418–7365 or at bmillin@fcc.gov.

In the FR Doc. 03–9667 published in the *Federal Register* on April 21, 2003, (68 FR 19444), § 90.35(b)(3) make the following correction.

1. On page 19456 in the table please correct the frequency “462.23152” to read as “462.23125” and

2. On page 19459 in the table please correct the frequency “467.23152” to read as “467.23125”.

3. On page 19462 in § 90.267 in paragraph (d)(2) of column three please correct the maximum antenna height from “23 meters (75 feet)” for Group B channels to “7 meters (20 ft).”

4. On page 19462 in § 90.267 in paragraph (d)(3) of the table in column one please correct the frequency pair “462/467.23152” to read as “462/467.23125”.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 03–23795 Filed 9–24–03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 585

[Docket No. NHTSA–03–15067]

Advanced Air Bag Phase-In Reporting Requirements

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

ACTION: Final rule; correcting amendment.

SUMMARY: This document contains a correction to the final rule published May 5, 2003, that amended the definition of limited line manufacturer for the purposes of the advanced air bag regulations phase-in.

DATES: The effective date of this final rule is September 25, 2003.

FOR FURTHER INFORMATION CONTACT: The following persons at the National Highway Traffic Safety Administration:

For non-legal issues: Mr. Louis Molino of the NHTSA Office of Crashworthiness Standards, NVS-112, telephone (202) 366-2264, facsimile (202) 493-2739.

For legal issues: Mr. Christopher Calamita of the NHTSA Office of Chief Counsel, NCC-112, telephone (202) 366-2992, facsimile (202) 366-3820.

You may send mail to both of these officials at the National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Background

The standards that are subject to these corrections are 49 CFR part 585, *Advanced Air Bag Phase-In Reporting Requirements*, and Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Crash Protection*. In May 2000, we published a rule requiring advanced air bags in light vehicles in order to reduce the risk of serious air bag-induced injuries, particularly for small women and young children, and provide improved frontal crash protection for all occupants (65 FR 30680). The requirements of that rule are being phased in during two stages, the first of which extends from September 1, 2003 to August 31, 2006.

During the first phase-in, increasing percentages of motor vehicles will be required to meet requirements for minimizing air bag risks, primarily by either automatically turning off the air bag when young children are present or deploying the air bag more benignly so that it is much less likely to cause serious or fatal injury to out-of-position occupants. The May 2000 final rule

permitted limited line manufacturers, *i.e.*, those defined in FMVSS No. 208 as producers of no more than two vehicle lines for sale in the United States, the option of opting out of the advanced air bag requirements for the first year of the phase-ins as long as 100 percent of the vehicles produced for the U.S. market were fully compliant in the second year of the phase-ins and thereafter.

In May 2003, we published a final rule amending the advanced air bag regulation to address how to treat limited line manufacturers in the first phase-in. (68 FR 23614; May 5, 2003.) The May 2003 final rule amended the definition of limited line manufacturer, for the first phase-in only, to a manufacturer that produces no more than three vehicle lines. Additionally, we provided limited line manufacturers with an additional year to comply with the new advanced air bag requirements. We determined that the amended definition provided relief to manufacturers of only a few carlines that are required to ensure that each of its carlines is fully compliant.

Need for Correction

As published, the May 2003 final rule contained an error that needs correction. The May 2003 final rule expanded the definition of limited line manufacturer in FMVSS No. 208 for the first stage of the advanced air bag phase-in, but the final rule failed to amend the definition of limited line manufacturer contained in 49 CFR part 585. Part 585 establishes the reporting requirements for the advanced air bag phase-ins. Under the May 2000 and May 2003 final rules, § 585.4(g) defines limited line manufacturer as a “manufacturer that sells two or fewer carlines, as that term is defined in 49 CFR 583.4, in the United States during a production year.”

This correction amends the definition of limited line manufacture in § 585.4 to include manufacturers of three or fewer carlines for the first stage of the phase-in.

Correction of Publication

List of Subjects in 49 CFR Part 585

Imports, Motor vehicle safety, Motor vehicles, Reporting and recordkeeping requirements.

■ In consideration of the foregoing, 49 CFR part 585 is amended as follows:

PART 585—ADVANCED AIR BAG PHASE-IN REPORTING REQUIREMENTS

■ 1. The authority citation for part 585 of title 49 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

■ 2. Section 585.4 is amended by revising paragraph (g) to read as follows:

* * * * *

§ 585.4 Definitions.

* * * * *

(g) *Limited line manufacturer* for phase one, means a manufacturer that sells three or fewer carlines, as that term is defined in 49 CFR 583.4, in the United States during a production year; and for phase two, a manufacturer that sells two or fewer carlines, as that term is defined in 49 CFR 583.4, in the United States during a production year.

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Issued on: September 16, 2003.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

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