

Federal Register

Friday
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Part XVI

**Department of
Veterans Affairs**

Semiannual Regulatory Agenda

DEPARTMENT OF VETERANS AFFAIRS (VA)

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Ch. I

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Department of Veterans Affairs.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda announces the regulations that the Department of Veterans Affairs (VA) will have under development or review during the 12-month period beginning October 1996. The purpose in publishing the Department's regulatory agenda is to allow all interested persons the

opportunity to participate in VA's regulatory planning.

ADDRESSES: Interested persons are invited to comment on the entries listed in the agenda by contacting the individual agency contact listed for each entry or by writing to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420.

FOR FURTHER INFORMATION CONTACT: Gloria Armstrong or Christy Fick, (202) 273-8605.

SUPPLEMENTARY INFORMATION: This document is issued pursuant to Executive Order 12866 "Regulatory Planning and Review" (and

implementing guidance) and the Regulatory Flexibility Act, which require that executive agencies semiannually publish in the Federal Register an agenda of regulations under development or review. For this edition of VA's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the Federal Register. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

Thomas O. Gessel,
Director, Office of Regulations Management.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3281	Disposition of Veteran's Personal Funds and Effects on Facility Upon Death, or Discharge, or Unauthorized Absence, and of Funds and Effects Found on Facility	2900-AB61
3282	Aid to States for Care of Veterans in State Homes and Grants to States for Construction or Acquisition of State Home Facilities	2900-AE87
3283	Payments for Outpatients and Ancillary Medical Services Provided by Non-VA Providers	2900-AH66
3284	Informed Consent for Patient Care	2900-AH72
3285	Schedule for Rating Disabilities—The Orthopedic System	2900-AE91
3286	Schedule for Rating Disabilities—Neurological Conditions and Convulsive Disorders	2900-AF23
3287	Schedule for Rating Disabilities—Digestive System	2900-AF24
3288	Reduction of Debt Through the Performance of Work-Study Services	2900-AF29
3289	Veterans' Education; Suspension and Discontinuance of Payments	2900-AF85
3290	Individual Unemployability	2900-AH21
3291	Loan Guaranty: Authority To Close VA-Guaranteed Loans on an Automatic Basis, Withdrawal of Automatic Processing Authority and Elimination of Late Reporting Waivers	2900-AH23
3292	Service Connection for Dental Conditions for Treatment Purposes	2900-AH41
3293	Evidence in File at Date of Death	2900-AH42
3294	Vision	2900-AH43
3295	Claims Based on Tobacco Use During Active Service	2900-AH58
3296	Loan Guaranty: Electronic Payment of Funding Fee	2900-AH73
3297	Veterans Education: Effective Date for the Award of Educational Assistance	2900-AH76
3298	Medical Evidence That a Disability Has Improved	2900-AH82
3299	Election of Education Benefits	2900-AH88
3300	Computation of Income	2900-AH94
3301	Veterans Education: Submission of School Catalog to State Approving Agencies	2900-AH97
3302	Claims Based on Exposure to Ionizing Radiation (Prostate Cancer and Any Other Cancer)	2900-AI00
3303	Child Custody	2900-AI10
3304	Loan Guaranty: Revised Credit Standards	2900-AI16
3305	Notice of Time Limit for Filing Evidence	2900-AI19
3306	Evaluation of Income	2900-AI20
3307	Intervertebral Disc Syndrome	2900-AI22
3308	Veterans Education: Advanced Payments & Lump Sum Payments for Educational Assistance	2900-AI31
3309	Claims Based on Aggravation of Nonservice-Connected Disability	2900-AI42
3310	Ankylosis and Limitation of Motion of Digits of the Hands	2900-AI44
3311	Survivors and dependents Education: Extension of Eligibility Period	2900-AI45
3312	Cold Injuries	2900-AI46
3313	Capping of National Service Life Insurance "H" Term Premiums	2900-AI52
3314	Purchase Card/Electronic Data Interchange	2900-AI41
3315	Rules of Practice; Hearings	2900-AG07
3316	Headstone and Marker Inscription Policy	2900-AH45

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3317	State Cemetery Grants: Aid to States for Establishment, Expansion and Improvement of Veterans Cemeteries	2900-AH46
3318	Fee to Trace Vendors VA Issued Checks	2900-AI38
3319	Release of Information From Department of Veterans Affairs Records	2900-AH98

Final Rule Stage

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3321	Community Residential Care Program and Contract Program for Veterans With Alcohol and Drug Dependence Disorders	2900-AH61
3322	Treatment of Research—Related Injuries to Human Subjects	2900-AH68
3323	Homeless Providers Grant and Per Diem Program, Clarification of Per Diem Eligibility	2900-AH89
3324	Miscellaneous Changes to Part 17	2900-AI37
3325	Schedule for Rating Disabilities—The Cardiovascular System (Reg Plan Seq. No. 93)	2900-AE40
3326	Schedule for Rating Disabilities—The Muscular System	2900-AE89
3327	Schedule for Rating Disabilities—The Skin	2900-AF00
3328	Schedule for Rating Disabilities—Diseases of the Ear and Other Sense Organs	2900-AF22
3329	Amendments to Training and Rehabilitation Programs	2900-AG00
3330	Fibromyalgia	2900-AH05
3331	Delegation of Authority To Provide Relief on Account of Administrative Error	2900-AH19
3332	Loan Guaranty Flood Insurance Requirements	2900-AH63
3333	Loan Guaranty: Limitation on Discount Points Financed in Connection With Interest Rate Reduction Refinancing Loans	2900-AH90
3334	Veterans Education: Approval of Correspondence Courses	2900-AH91
3335	Fiduciary Activities; Miscellaneous	2900-AI14
3336	Vocational Rehabilitation; Miscellaneous Changes	2900-AI29
3337	Veterans Education: Approval of Independent Study	2900-AI34
3338	Spouse and Surviving Spouse	2900-AI36
3339	Decisions to Conform	2900-AI39
3340	Upgraded Discharges	2900-AI40
3341	Adjudication Regulations; Miscellaneous	2900-AI43
3342	Dependency and Income	2900-AI47
3343	Veterans Education: Increased Allowances of the Educational Assistance Test Program	2900-AI53
3344	VAAR: Commercial Items	2900-AI05
3345	Miscellaneous Changes to VA Acquisition Regulations	2900-AI28
3346	Definitions and Terms for Part 802	2900-AI49
3347	Department Protest	2900-AI51
3348	Rules of Practice: Oral Argument in Filing Appellate Briefs	2900-AI18
3349	Appeals Regulations: Remand for Further Development	2900-AI50
3350	Disinterments in National Cemeteries	2900-AI21
3351	Delegation of Subpoena Authority and Description of Means of Service	2900-AH00

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3352	Loan Guaranty: Title Evidence Requirements and Occupancy Requirements for Conveyance of Properties to VA ..	2900-AE20
3353	Acceptance of Partial Payments; Indemnification of Default	2900-AE60
3354	Revised Definition of Net Value and Revised Criteria for Pre-Foreclosure Debt Waivers	2900-AG20
3355	Department of Veterans Affairs Acquisition Regulation (VAAR): Part 801, Veterans Affairs Acquisition Regulation System	2900-AH28
3356	Appeals Regulations; Rules of Practice	2900-AE78
3357	Rules of Practice: Medical Opinions; Appeal Processing and Submission of Additional Evidence	2900-AG90

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Long-Term Actions (Continued)

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3358	Nondiscrimination on the Basis of Sex Under Federally Assisted Education Programs and Activities	2900-AB51
3359	Operation of Child Care Centers at VA Facilities	2900-AD48
3360	Standards for Collection, Comprise, Suspension, or Termination of Collection Effort, in Referral of Civil Claims for Money or Property; Delegations of Authority	2900-AI27

Completed Actions

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3361	Health Professionals' Educational Assistance Program	2900-AF87
3362	Contract Program for Veterans With Alcohol and Drug Dependence Disorders	2900-AH77
3363	Medical; Nonsubstantive Miscellaneous Changes	2900-AH95
3364	Medical; VA Health Professional Scholarship Program, Correction	2900-AH99
3365	Autopsies	2900-AI07
3366	Delegation of Authority; Nonsubstantive Administrative Changes	2900-AI08
3367	Delegations of Authority; Nonsubstantive Miscellaneous Changes	2900-AI17
3368	Schedule for Rating Disabilities; Endocrine System Disabilities	2900-AE41
3369	Educational Assistance for Members of the Selected Reserve	2900-AE43
3370	Schedule for Rating Disabilities—The Respiratory System	2900-AE94
3371	Schedule for Rating Disabilities; Infectious Diseases, Immune Disorders and Nutritional Deficiencies (Systemic Conditions)	2900-AE95
3372	Schedule for Rating Disabilities—Mental Disorders	2900-AF01
3373	Reservists' Education; Commencing Date of Award of Educational Assistance	2900-AF74
3374	Veterans' Education; Implementation of the Veterans' Benefits Act of 1992 and the National Defense Authorization Act for 1993	2900-AG22
3375	Veterans' Education; Veterans' Benefits Act of 1992 and the National Defense Authorization Act of 1993 in the Post-Vietnam Era Veterans' Educational Assistance Program	2900-AG23
3376	Veterans Education: Increase in Rates Payable Under the Montgomery GI Bill Active Duty, 1994-95	2900-AH14
3377	Veterans Education: Implementation of the Veterans Benefits Improvement Act of 1994	2900-AH31
3378	Veterans Education: Course Measurement for Graduate Courses	2900-AH39
3379	Compensation for Disability Resulting From Hospitalization, Treatment, Examination, or Vocational Rehabilitation ..	2900-AH44
3380	Examinations	2900-AH48
3381	Servicemen's and Veterans' Group Life Insurance	2900-AH50
3382	Evidence Dependency and Age	2900-AH51
3383	United States Government Life Insurance	2900-AH52
3384	Soldiers' and Sailors' Civil Relief	2900-AH53
3385	Veterans Mortgage Life Insurance	2900-AH54
3386	National Service Life Insurance	2900-AH55
3387	Reservists' Education: Technical Amendment to the Montgomery GI Bill—Selected Reserve Program	2900-AH59
3388	Veterans and Dependents Education: Revision and Rescission of Obsolete and Duplicate Regulations	2900-AH60
3389	Revision and Rescission of Obsolete and Duplicate Regulations Governing Post-Vietnam Era Veterans Edu- cational Assistance	2900-AH64
3390	Abandoned Claims	2900-AH65
3391	Veterans Education: Increased Allowances for the Educational Assistance Test Program	2900-AH78
3392	Veterans Education: Increase in Rates Payable Under the Montgomery GI Bill Active Duty, 1995 - 1996	2900-AH79
3393	Adjudication Regulations; Miscellaneous	2900-AH83
3394	Lump Sum Payment Under Public Law 93-177	2900-AH85
3395	Travel Time; Removal of Obsolete Provisions From the CFR	2900-AH86
3396	Removal of References to "Vicious Habits"	2900-AH87
3397	Veterans Education: Additional Educational Assistance While Serving in the Selected Reserve	2900-AH92
3398	Veterans Benefits Administration, Fiduciary Activities	2900-AH93
3399	Criteria for Determining Need for Aid and Attendance	2900-AH96
3400	Loan Guarantee; Regulation Reform	2900-AI01
3401	Revision and Rescission of Obsolete and Duplicative Regulations Governing the Montgomery GI Bill—Selective Reserves	2900-AI04
3402	Willful Misconduct	2900-AI26

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Sequence Number	Title	Regulation Identifier Number
3403	Diseases Associated With Exposure to Certain Herbicide Agents (Prostate Cancer and Acute and Subacute Peripheral Neuropathy)	2900-AI35
3404	Department of Veterans Affairs Acquisition Regulation—Loan Guaranty and Vocational Rehabilitation and Counseling Programs	2900-AG65
3405	Department of Veterans Affairs Acquisition Regulation—Service Contracting	2900-AG67
3406	Department of Veterans Affairs Acquisition Regulation (VAAR): Administrative Changes	2900-AH27
3407	Miscellaneous Amendments	2900-AI02
3408	Appeals Regulations: Rules of Practice; Board of Veterans' Appeals Administrative Procedures Improvement Act of 1994	2900-AH16
3409	Rules of Practice: Request for and Notices of Field Hearings	2900-AI11
3410	Rules of Practice: Elimination of Unnecessary Provisions Relating to Representation, Witnesses, and Access to Board Records	2900-AI15
3411	National Cemetery System	2900-AI06
3412	Delegation of Authority To Order Paid Advertising for Use in Recruitment	2900-AH74
3413	Part-Time Career Employment Program	2900-AH75
3414	Standards of Ethical Conduct and Related Responsibilities	2900-AH80
3415	Delegation of Authority to Regional Counsels	2900-AH81
3416	Rulemaking Procedures	2900-AH84
3417	Inventions by Employees of the Department of Veterans Affairs	2900-AI03
3418	Delegations of Authority Concerning Discrimination or Reprisals	2900-AI12
3419	Delegations of Authority; Federal Tort Claims and Debt Collections	2900-AI13
3420	Information Law: Miscellaneous	2900-AI23
3421	Reestablishing Rulemaking Procedures	2900-AI32
3422	Rulemaking Procedures	2900-AI33
3423	Federal Civil Penalties Inflation Adjustment	2900-AI48
3424	Gender Policy for VA Publications and Other Publications	2900-AI09
3425	Investigation Regulation	2900-AI25

DEPARTMENT OF VETERANS AFFAIRS (VA)

Proposed Rule Stage

VETERANS HEALTH
ADMINISTRATION**3281. DISPOSITION OF VETERAN'S PERSONAL FUNDS AND EFFECTS ON FACILITY UPON DEATH, OR DISCHARGE, OR UNAUTHORIZED ABSENCE, AND OF FUNDS AND EFFECTS FOUND ON FACILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 8501; 38 USC 8502; 38 USC 8503; 38 USC 8504; 38 USC 8506; 38 USC 8507; 38 USC 8508; 38 USC 8509; 38 USC 8510; 38 USC 8520; 38 USC 8521; 38 USC 8522; 38 USC 8523; 38 USC 8524; 38 USC 8525**CFR Citation:** 38 CFR 12.0 to 12.24**Legal Deadline:** None**Abstract:** Section 208 of Public Law 94-581 provides that unclaimed property or funds and effects left by a dependent or survivor of a veteran

receiving medical care at a Department of Veterans Affairs (VA) facility as a CHAMPVA beneficiary will be disposed of in the same or similar manner as such property left by a veteran. Also, estates of dependents or survivors of a veteran who dies intestate and without legal heirs while a patient in any VA facility or any hospital, while being furnished care or treatment therein by VA, will escheat to the U.S. Government. Some of these regulations have not been updated since 1948; therefore, editorial changes will be made, which will not affect policy.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Roscoe Butler, Headquarters Health Administration

Service (161A), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8302

RIN: 2900-AB61**3282. AID TO STATES FOR CARE OF VETERANS IN STATE HOMES AND GRANTS TO STATES FOR CONSTRUCTION OR ACQUISITION OF STATE HOME FACILITIES****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 38 USC 1741; 38 USC 1742; 38 USC 1743; 38 USC 8131; 38 USC 8132; 38 USC 8133; 38 USC 8134;

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38 USC 8135; 38 USC 8136; 38 USC 8137

CFR Citation: 38 CFR 17.165; 38 CFR 17.166; 38 CFR 17.167; 38 CFR 17.183

Legal Deadline: None

Abstract: Several laws have been enacted since the last revision and update of the regulations governing the State Home Per Diem Program. Among them is Public Law 100-322, which provided that the Secretary, Department of Veterans Affairs, is to evaluate per diem rates annually and increase them as appropriate; the rates may not exceed the percentage increase in VA general hospitals. Numerous other changes and updates are needed to (1) assist the States in recognition of State homes; (2) provide various options for operating State homes, such as contracting or leasing and clarification of States' responsibilities for providing financial support for the operation; and (3) opening of beds, after completing construction in which VA provided up to 65 percent of the cost. Timeframes for opening beds and clarification of assurance of financial support need to be documented. Current regulations will be updated and revised to accomplish these purposes. Additionally updates are necessary for the State Home Construction Program. Public Law 102-585 amends the time for conditional grant approvals, prohibits obligation of funds for rescinded projects during the same fiscal year, defines the date the recapture period begins, and provides for retroactive per diem payment after completion of recognition inspection. Further, the Life Safety Code requires updating to the 1993 edition and various other technical and editorial changes need to be made.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: L. Nan Stout, Chief, State Per Diem Program (114), Department of Veterans Affairs, Veterans Health Administration (114B), 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8538
Fax: 202 273-9131

RIN: 2900-AE87

3283. PAYMENTS FOR OUTPATIENTS AND ANCILLARY MEDICAL SERVICES PROVIDED BY NON-VA PROVIDERS

Priority: Other Significant

Legal Authority: 38 USC 1703

CFR Citation: 38 CFR 17.50f(h) (Revision); 38 CFR 17.50g(New)

Legal Deadline: None

Abstract: This rule will amend part 17.50f(h) to change payment methodology for ancillary medical care service from usual and customary to Medicare's Fee Schedule for Physicians' Services. Part 17.50g will be added to fully describe the payment methodology for outpatient and ancillary medical care services provided by non-VA providers. Payments under this fee schedule would be based on national uniform relative value units, based on the resources used in furnishing a service and adjusted for local economic conditions. Use of this fee schedule will enable VA to overcome payment discrepancies between geographic localities and various specialties and will relate payments to the value of the procedure that is identified on a claim by a current procedural terminology code. VA payment would be consistent with payment for similar medical services provided by other Government agencies.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Abby E. Skelding, Program Specialist (161A1), Headquarters Health Administration Svc, Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8307
Fax: 202 273-9609

RIN: 2900-AH66

3284. INFORMED CONSENT FOR PATIENT CARE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 7331; 38 USC 7332; 38 USC 7333

CFR Citation: 38 CFR 17.34

Legal Deadline: None

Abstract: VA proposes to amend its regulations concerning informed consent for patient care. It is proposed to describe the requirements for obtaining and documenting informed consent. It is also proposed to describe the types of treatments or procedures for which the patient's signature on a VA authorized form would be required and to establish a list and priority of surrogates authorized to act on behalf of patients who lack decisionmaking capacity. Further, it is proposed to establish an internal decisionmaking process for patients who lack decisionmaking capacity and have no authorized surrogate. This action is intended to protect patient rights and to ensure that the patient (or the patient's surrogate or representative) receives sufficient information to make an informed health care decision.

Timetable:

Action	Date	FR Cite
NPRM	08/07/96	61 FR 41108
NPRM Comment Period End	10/07/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ruth-Ann Phelps, Ph.D., Health Systems Specialist (11B), Department of Veterans Affairs, Veterean Health Administration, Department of Veterans Administration, 810 Vermont Ave. NW., Washington, DC 20420
Phone: 202 273-8473

RIN: 2900-AH72

VETERANS BENEFITS ADMINISTRATION

3285. SCHEDULE FOR RATING DISABILITIES—THE ORTHOPEDIC SYSTEM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.71(a)

Legal Deadline: None

Abstract: These amendments will contain additions, deletions, and

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revisions of terminology resulting from a systematic review of the medical criteria used to evaluate disabilities of the orthopedic system. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/90	55 FR 53315
ANPRM Comment Period End	02/26/91	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, M.D., Consultant, Regulations Staff (213A), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AE91

3286. SCHEDULE FOR RATING DISABILITIES—NEUROLOGICAL CONDITIONS AND CONVULSIVE DISORDERS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.120; 38 CFR 4.121; 38 CFR 4.122; 38 CFR 4.123; 38 CFR 4.124; 38 CFR 4.124a

Legal Deadline: None

Abstract: These amendments will contain additions, deletions, and revisions of terminology resulting from a systematic review of the medical criteria used to evaluate disabilities of the neurological system. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/91	56 FR 20169

Action	Date	FR Cite
ANPRM Comment Period End	07/01/91	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, MD, Consultant, Regulations Staff (213A), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AF23

3287. SCHEDULE FOR RATING DISABILITIES—DIGESTIVE SYSTEM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.114

Legal Deadline: None

Abstract: These amendments will contain additions, deletions, and revisions of terminology resulting from a systematic review of the medical criteria used to evaluate disabilities of the digestive system. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/91	56 FR 20168
ANPRM Comment Period End	07/01/91	
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, M.D., Consultant, Regulations Staff (213A), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AF24

3288. REDUCTION OF DEBT THROUGH THE PERFORMANCE OF WORK-STUDY SERVICES

Priority: Other Significant

Legal Authority: PL 102-16

CFR Citation: 38 CFR 1.929

Legal Deadline: None

Abstract: There is a section of PL 102-16 which is designed to eliminate some VA debts. The Secretary of Veterans Affairs is given the authority to enter into an agreement with an individual who has incurred an overpayment of VA educational or rehabilitation benefits. Pursuant to the agreement the individual may reduce the resulting debt through performance of work-study services. The law gives VA considerable latitude in administering this program. The regulation will state the way in which VA will implement this provision of law.

Timetable:

Action	Date	FR Cite
NPRM	08/05/96	61 FR 40589
NPRM Comment Period End	10/04/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AF29

3289. VETERANS' EDUCATION; SUSPENSION AND DISCONTINUANCE OF PAYMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3690

CFR Citation: 38 CFR 21.4133; 38 CFR 21.4134; 38 CFR 21.4135; 38 CFR 21.4146; 38 CFR 21.4152; 38 CFR 21.4202; 38 CFR 21.4207; 38 CFR 21.4208; 38 CFR 21.4210; 38 CFR 21.4211; 38 CFR 21.4212; 38 CFR 21.4213; 38 CFR 21.4214; 38 CFR 21.4215; 38 CFR 21.4216; ...

Legal Deadline: None

Abstract: Under certain conditions VA can suspend or discontinue payments

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of educational assistance to individuals even though the course in which they are enrolled is approved for VA training. Current regulations provide for a review of the circumstances at the local VA facility and another de novo review at VA Central Office. The proposal would gather in one place the procedures which VA follows in deciding whether to suspend or discontinue payments; would make a part of the Code of Federal Regulations the rules at the hearing which may be conducted in making this decision; and would eliminate the de novo Central Office review.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: June Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AF85**3290. INDIVIDUAL UNEMPLOYABILITY****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155**CFR Citation:** 38 CFR 4.16**Legal Deadline:** None

Abstract: This action will amend the Schedule for Rating Disabilities as it addressed the issue of individual unemployability, in order to establish a more objective standard for making unemployability determinations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Lorna Weston, Consultant, Regulations Staff (213A),

Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AH21**3291. LOAN GUARANTY: AUTHORITY TO CLOSE VA-GUARANTEED LOANS ON AN AUTOMATIC BASIS, WITHDRAWAL OF AUTOMATIC PROCESSING AUTHORITY AND ELIMINATION OF LATE REPORTING WAIVERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 3702(d)(3); 38 USC 3702(e)**CFR Citation:** 38 CFR 36.4348; 38 CFR 36.4349; 38 CFR 36.4303(a); 38 CFR 36.4303(d); 38 CFR 36.4335(a)**Legal Deadline:** None

Abstract: VA is proposing to amend its loan guaranty regulations regarding criteria used to approve nonsupervised lenders to process VA-guaranteed loans on the automatic basis. The Department is considering changes in the following requirements for lender participation in the automatic authority program: lender experience, working capital, lines of credit, and VA-approved underwriter eligibility and training. The Department is also considering changes in the regulation regarding annual recertification of lenders and standards for withdrawal of automatic authority. VA is also proposing to amend the requirements pertaining to lenders' reporting of VA-guaranteed loans to the Secretary within 60 days following full disbursement. The revised regulation will provide that if the lender does not report the loan within 60 days, the late report must be accompanied by a statement signed by a corporate officer of the lending institution, certifying that the loan is current and offering an explanation for the late reporting. This change will eliminate the current requirement for VA regional office to go through the formality of making a decision on whether or not to waive the requirement and instead either issue the guaranty or not, as appropriate under the circumstances.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Judith Caden, Assistant Director, Loan Policy (264), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7368

RIN: 2900-AH23**3292. SERVICE CONNECTION FOR DENTAL CONDITIONS FOR TREATMENT PURPOSES****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 501(a)**CFR Citation:** 38 CFR 3.381**Legal Deadline:** None

Abstract: This action will clarify the term "reasonable period of service" (Manio v. Brown).

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Lorna Weston, Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AH41**3293. EVIDENCE IN FILE AT DATE OF DEATH****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 501(a)**CFR Citation:** 38 CFR 3.1000**Legal Deadline:** None

Abstract: This action will clarify the definition of "medical evidence on file at time of death" (Hayes v. Brown).

VA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lorna Weston, Consultant, Regulations Staff (231A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH42

3294. VISION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.75

Legal Deadline: None

Abstract: This action will amend the vision portion of the rating schedule to provide current medical terminology, clarify ambiguous evaluation criteria, and add medical conditions not presently in the rating schedule. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol McBrine, M.D., Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH43

3295. CLAIMS BASED ON TOBACCO USE DURING ACTIVE SERVICE

Priority: Economically Significant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.304

Legal Deadline: None

Abstract: This proposed rule will establish criteria for determining service connection of disability/death due to the use of tobacco products during active service.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Judy Veres, Consultant, Judicial Review Staff (213C), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH58

3296. LOAN GUARANTY: ELECTRONIC PAYMENT OF FUNDING FEE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 36.4312

Legal Deadline: None

Abstract: VA is proposing to require that all funding fee collections be made electronically through the Automated Clearing House (ACH) program. The ACH program provides VA-approved lenders the opportunity to pay the funding fee electronically instead of sending checks and the Loan Guaranty Funding Fee Transmittal by mail.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Juith Caden, Assistant Director for Loan Policy (264), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7368

RIN: 2900-AH73

3297. VETERANS EDUCATION: EFFECTIVE DATE FOR THE AWARD OF EDUCATIONAL ASSISTANCE

Priority: Info./Admin./Other

Legal Authority: 38 USC 3018B

CFR Citation: 38 CFR 21.7131

Legal Deadline: None

Abstract: The provisions of 38 U.S.C. allow a veteran who was voluntarily separated from active military, naval, or air service under either 10 U.S.C. 1174a or 1175 before October 23, 1992, to elect to receive educational assistance under the Montgomery GI Bill, Active Duty. He or she was given until October 23, 1993, to make the election. The provisions of 38 U.S.C. 3018B also require the veteran to submit \$1,200 to the Department of Veterans Affairs (VA) as a condition of receiving the educational assistance. The statute does not contain a deadline for paying the \$1,200. This document amends the VA's Vocational Rehabilitation and Education regulations to explain that an individual who made the election before October 23, 1993, must still submit the \$1,200 to VA as a condition of receiving educational assistance under the Montgomery GI Bill, Active Duty.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer, Assistant Director for Policy and Programs Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AH76

3298. MEDICAL EVIDENCE THAT A DISABILITY HAS IMPROVED

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.344

Legal Deadline: None

Abstract: To remove redundancies and unnecessary material, simplify the language, and clarify basic principles of the regulation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

VA

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Larry Freiheit, Consultant, Regulations Staff (213A), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7252

RIN: 2900-AH82

3299. ELECTION OF EDUCATION BENEFITS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3562; 38 USC 3221; 38 USC 3033; 10 USC 16132

CFR Citation: 38 CFR 21.3023; 38 CFR 21.5041; 38 CFR 21.7040; 38 CFR 21.7540

Legal Deadline: None

Abstract: An individual may be eligible for educational assistance under more than one of the education programs VA administers. Often the individual must elect which benefit she or he wants. Current regulations state that these elections are final once the individual negotiates a check issued under the program he or she has chosen. These regulations must be revised to allow for a different method of determining when an election is final because VA will soon begin converting from paying educational assistance with paper checks to paying these benefits electronically.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AH88

3300. COMPUTATION OF INCOME

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.260

Legal Deadline: None

Abstract: Proposes to amend VA adjudication regulations concerning income computations to remove obsolete instructions for determining income limitations in section 306 pension cases. Eliminates proportionate computation instructions for section 306 pension.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge, Consultant, Regulations Staff (213A), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7218

RIN: 2900-AH94

3301. • VETERANS EDUCATION: SUBMISSION OF SCHOOL CATALOG TO STATE APPROVING AGENCIES

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-568

CFR Citation: 38 CFR 21.4253

Legal Deadline: None

Abstract: Current regulations provide that schools must submit a data log or bulletin to the State approving agency when seeking approval for courses for training under VA-administered education programs. Public Law 102-568 removed this requirement for elementary and secondary schools. VA intends to amend the regulations to reflect this statutory change.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: June C. Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187
Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AH97

3302. • CLAIMS BASED ON EXPOSURE TO IONIZING RADIATION (PROSTATE CANCER AND ANY OTHER CANCER)

Priority: Other Significant

Legal Authority: PL 98-542

CFR Citation: 38 CFR 3.311(b)(2)

Legal Deadline: None

Abstract: To implement a decision by the Secretary of Veterans Affairs that, based on all evidence currently available to him, prostate cancer and any other cancers are "radiogenic diseases".

Timetable:

Action	Date	FR Cite
NPRM	09/25/96	61 FR 50264
NPRM Comment Period End	11/25/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Bissett, Jr., Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7230

RIN: 2900-AI00

3303. • CHILD CUSTODY

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.24(b); 38 CFR 3.24(c); 38 CFR 3.57(d)

Legal Deadline: None

Abstract: To clarify the status of school children between the ages of 18 and 23, and adult helpless children when there is a veteran or surviving spouse entitled to receive improved pension.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge, Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 801

VA

Proposed Rule Stage

Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-7210
RIN: 2900-AI10

3304. • LOAN GUARANTY: REVISED CREDIT STANDARDS

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 101; 38 USC 501; 38 USC 3710
CFR Citation: 38 CFR 36.4337
Legal Deadline: None

Abstract: VA proposes to amend its loan guaranty regulations regarding credit standards used by lenders to evaluate the credit-worthiness of veteran-borrowers for home loans. VA is committed to regular review and revision of the standards used to determine the creditworthiness of veteran-applicants as issues arise and as the mortgage industry changes. VA recognizes that it is important to keep in step with the rest of the home mortgage industry at least to an extent appropriate for Government benefit-related mortgage program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Judith Caden, Assistant Director for Loan Policy (264), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-7368
 Fax: 202 275-3523
RIN: 2900-AI16

3305. • NOTICE OF TIME LIMIT FOR FILING EVIDENCE

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 5010(h); 38 USC 5103(a)
CFR Citation: 38 CFR 3.12(c)(6); 38 CFR 3.109(a)(2); 38 CFR 3.351(a)(6); 38 CFR 3.557(a)
Legal Deadline: None

Abstract: To protect the effective date of increase for any claimant who submits evidence within one year of the date it was requested by VA.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Paul Trowbridge, Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-7210
RIN: 2900-AI19

3306. • EVALUATION OF INCOME

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 1315; 38 USC 1506
CFR Citation: 38 CFR 3.262(l); 38 CFR 3.272(g); 38 CFR 3.272(h); 38 CFR 3.273(e)
Legal Deadline: None

Abstract: To eliminate obsolete regulatory language and to simplify the rule concerning the reduction of final expenses.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Paul Trowbridge, Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-7210
RIN: 2900-AI20

3307. • INTERVERTEBRAL DISC SYNDROME

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155
CFR Citation: 38 CFR 4.71(a)
Legal Deadline: None

Abstract: To ensure that veterans diagnosed with intervertebral disc

syndrome meet uniform criteria and receive consistent evaluations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Carol McBrine, M.D., Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-7210
RIN: 2900-AI22

3308. • VETERANS EDUCATION: ADVANCED PAYMENTS & LUMP SUM PAYMENTS FOR EDUCATIONAL ASSISTANCE

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 16136; 38 USC 3034; 38 USC 3680
CFR Citation: 38 CFR 21.4138; 38 CFR 21.7140
Legal Deadline: None

Abstract: The regulations governing advance payments and lump sum payments of educational assistance have accumulated obsolete provisions over the years. This proposal will remove obsolete provisions and make other clarifying changes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: June C. Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-7187
 Fax: 202 725-2636
 Email: vaedusvc@patriot.net
RIN: 2900-AI31

3309. • CLAIMS BASED ON AGGRAVATION OF NONSERVICE-CONNECTED DISABILITY

Priority: Other Significant
Legal Authority: 38 USC 501(a)

VA

Proposed Rule Stage

CFR Citation: 38 CFR 3.310**Legal Deadline:** None

Abstract: This document amends VA regulations concerning secondary service connection for certain disabilities. This amendment is necessary because of a recent decision by the U.S. Court of Veterans Appeals, and will establish a new means by which veterans may be compensated for disabilities related to other service-connected conditions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Judy Veres, Consultant, Judicial Review Staff (213C), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7240

RIN: 2900-AI42**3310. • ANKYLOSIS AND LIMITATION OF MOTION OF DIGITS OF THE HANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.71a**Legal Deadline:** None

Abstract: This document revises the evaluation criteria for ankylosis and limitation of motion of the fingers to ensure that veterans diagnosed with these conditions receive consistent evaluations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Caroll McBrine, M.D., Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7230

RIN: 2900-AI44**3311. • SURVIVORS AND DEPENDENTS EDUCATION: EXTENSION OF ELIGIBILITY PERIOD****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3512**CFR Citation:** 38 CFR 21.3021; 38 CFR 21.3046; 38 CFR 21.3047**Legal Deadline:** None

Abstract: Eligible spouses and surviving spouses have ten years to use their educational assistance under the Survivors' and Dependents' Educational Assistance program. However, if the spouse or surviving spouse was prevented from initiating or completing a program of education within the ten-year period due to a physical or mental disability that is not the result of willful misconduct, statute permits the extension of that period. This proposed rule will implement this statutory provision.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: June C. Schaffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187
Fax: 202 275-2636

RIN: 2900-AI45**3312. • COLD INJURIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.104**Legal Deadline:** None

Abstract: This document is amended to provide evaluation criteria based on current medical knowledge about the long-term effects of cold injury that can be applied to any part of the body affected by cold injury.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Caroll McBrine, M.D., Consultant, Regulations Staff (213A),

Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7230
RIN: 2900-AI46

3313. • CAPPING OF NATIONAL SERVICE LIFE INSURANCE "H" TERM PREMIUMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1904; 38 USC 1906**CFR Citation:** 38 CFR 8.30**Legal Deadline:** None

Abstract: The Insurance Service of the Veterans Benefits Administration is amending its regulations to reflect that premiums for National Service Life Insurance (NSLI) "H" term policyholders will be capped at the renewal age 70 premium rate. NSLI "H" term policyholders who have already renewed their policies at the age 71 premium rate or above will have their premiums reduced ("rolled back") to the renewal age 70 rate. Policyholders under age 80 will have their premiums capped at their first renewal beyond age 70.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: George Poole, Chief, Insurance Program Administration (290B), Department of Veterans Affairs, P.O. Box 8079, Philadelphia, PA 10101
Phone: 215 381-3290
Fax: 215 381-3504

RIN: 2900-AI52**OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT****3314. • PURCHASE CARD/ELECTRONIC DATA INTERCHANGE****Priority:** Routine and Frequent**Legal Authority:** 38 USC 501; 40 USC 486(c)**CFR Citation:** 48 CFR 832; 48 CFR 852**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its

VA

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acquisition regulations to require contractors, on contracts awarded by the Office of Acquisition and Materiel Management, either through its VA National Acquisition Center or Acquisition Operations and Analysis Service, to accept the Governmentwide commercial purchase care for payment of goods and/or services valued below the simplified acquisition threshold (SAT) and to use electronic data interchange (EDI) for both ordering and billing purposes. Requiring the use of purchase cards and EDI on contracts awarded by other VA contracting activities will be at the option of the contracting officer, if determined to be in the best interest of the Government.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

Agency Contact: Donald E. Kaliher (95A), Senior Procurement Analyst, Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 272-8819
 Fax: 202 273-9302
 Email: kaliher@mail.va.gov

RIN: 2900-AI41

BOARD OF VETERANS APPEALS

3315. RULES OF PRACTICE; HEARINGS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 7102; 38 USC 7104; 38 USC 7105; 38 USC 7105A; 38 USC 5711

CFR Citation: 38 CFR 20.3; 38 CFR 20.700; 38 CFR 20.702; 38 CFR 20.703; 38 CFR 20.704; 38 CFR 20.707; 38 CFR 20.711; 38 CFR 20.714; 38 CFR 20.716; 38 CFR 20.717; 38 CFR 20.1003; 38 CFR 2.1; 38 CFR 19.75

Legal Deadline: None

Abstract: This regulation will amend the Rules of Practice of the Board of Veterans' Appeals concerning hearings,

to refine them in light of experience and to improve the efficiency of the appellate process. No alternatives are available. These revisions will not entail any costs to the Government other than the costs normally associated with drafting, agency review, and publication. These revisions will not entail any costs to the public.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Steven L. Keller, Chief Counsel (01C), Department of Veterans Affairs, Board of Veterans' Appeals, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 565-5978

RIN: 2900-AG07

NATIONAL CEMETERY SYSTEM

3316. HEADSTONE AND MARKER INSCRIPTION POLICY

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 501; 38 USC 2306

CFR Citation: 38 CFR 1.630; 38 CFR 1.632

Legal Deadline: None

Abstract: The proposed rule revises 38 CFR, section 1.630 to implement Department of Veterans Affairs (VA) regulations on its inscription policy for use on Government-provided headstones or markers. The amendment formalizes and updates previous and current policies to reflect changes in VA's Simplified Inscription Policy based on inscription information authorized at Government (specific valor awards) or at private (additional inscription items) expense. The rule is published as proposed in the Federal Register to provide information to the public on expanded inscription policy for Government-furnished headstones and markers. A 60-day public comment period is provided. This action is

subject to the requirements of the Administrative Procedures Act and E.O. 12866 as the rule is an interpretation of statute as approved by the then-Administrator now Secretary of Veterans Affairs in 1974. The proposed rule will not have a significant economic impact on a substantial number of small entities and only individual VA beneficiaries could be directly affected.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ken Greenberg, Program Analyst (402B1), NCS Communications Division, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-5179
 Fax: 202 273-6697

RIN: 2900-AH45

3317. STATE CEMETERY GRANTS: AID TO STATES FOR ESTABLISHMENT, EXPANSION AND IMPROVEMENT OF VETERANS CEMETERIES

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 2408

CFR Citation: 38 CFR 39.1; 38 CFR 39.2; 38 CFR 39.3; 38 CFR 39.7; 38 CFR 39.8; 38 CFR 39.9

Legal Deadline: None

Abstract: The proposed rule revises 38 CFR, part 39, to amend Department of Veterans Affairs (VA) regulations for the State Cemetery Grants Program to implement and update information on program requirements and the application process for participants. The amendment formalizes new standards and provides guidance on how States may obtain funding for grants to expand, establish, or improve State veterans cemeteries. The rule is published as proposed in the Federal Register to provide information to the public on how to apply for Federal funding for State veterans cemeteries. A 60-day public comment period is

VA

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provided. It is subject to the requirements of the Administrative Procedures Act and E.O. 12866 because the rule is an interpretation of statute. The proposed rule will have a significant economic impact on a substantial number of small entities; only those States that apply for funding may be direct beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: State

Agency Contact: Ken Greenberg, Program Analyst (402B1), NCS Communications Division, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5179
Fax: 202 273-6697

RIN: 2900-AH46

OFFICE OF FINANCIAL MANAGEMENT

3318. • FEE TO TRACE VENDORS VA ISSUED CHECKS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 38 USC 9701(b)

CFR Citation: 38 CFR 1.585

Legal Deadline: None

Abstract: VA proposes to create a new regulation to charge vendors a fee to trace a VA issue check.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charlene Bah, Office of Financial Management (047GC1), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6651

RIN: 2900-AI38

OFFICE OF THE GENERAL COUNSEL

3319. • RELEASE OF INFORMATION FROM DEPARTMENT OF VETERANS AFFAIRS RECORDS

Priority: Info./Admin./Other

Legal Authority: 5 USC 552; 5 USC 552a; 38 USC 5701

CFR Citation: 38 CFR 1.500 to 1.584

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs regulations governing the confidentiality and release of VA records subject to the Privacy Act, 5 USC 552a, the Freedom of Information Act (FOIA), 5 USC 552, and the veterans' records confidentiality statute (section 5701), 38 USC 5701. The amendments will implement court decisions and Executive Branch guidance issued since the regulations were originally published. The amendment is part of the Administration's effort to simplify, clarify, and modernize Federal regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lorraine M. Johnson, Staff Attorney, Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6381

RIN: 2900-AH98

DEPARTMENT OF VETERANS AFFAIRS (VA)

Final Rule Stage

VETERANS HEALTH ADMINISTRATION

3320. CHAMPVA REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1713

CFR Citation: 38 CFR 17.54 to 17.54f

Legal Deadline: None

Abstract: Title 38 CFR part 17, section 17.54, sets forth the basic policies and procedures governing the administration of the CHAMPVA program. This proposed revision to 38 CFR 17.54 would incorporate revised CHAMPVA claims-processing procedures and define benefits and services for this program. These proposed regulations will not have an effect on the economy, State or local government agencies or geographic regions, and will not increase costs,

because the monetary impact would be insignificant. This regulatory action is important because current regulations describe the CHAMPVA program in terms of the initial agreement between VA and DOD (since modified) and do not address the program changes initiated by VA to centralize all CHAMPVA activities. The proposed regulations address the CHAMPVA Center's new role in program administration, including absorption of the previously contracted-out claims-processing activities.

Timetable:

Action	Date	FR Cite
NPRM	11/01/96	61 FR 56486
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Susan K. Schmetzer, Chief, Policy and Strategic Planning, CHAMPVA Center, Department of Veterans Affairs, 300 South Jackson Street, Denver, CO 80209
Phone: 303 331-7552
Fax: 303 331-7800

RIN: 2900-AE64

3321. COMMUNITY RESIDENTIAL CARE PROGRAM AND CONTRACT PROGRAM FOR VETERANS WITH ALCOHOL AND DRUG DEPENDENCE DISORDERS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 17.51e(c)(2); 38 CFR 17.51j(a)(2); 38 CFR 17.53b(a)(1)(i); 38 CFR 17.53c(a)(1)(i)

Legal Deadline: None

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Abstract: The Department of Veterans Affairs proposes to update references to material incorporated by reference in regulations concerning the Adult Day Health Care Program, the Community Residential Care Program and the Contract Program for Veterans with Alcohol and Drug Dependence Disorders. These regulations incorporate by reference various editions of the National Fire Protection Association Life Safety Code (NFPA 101, Life Safety Code and NFPA 101A, Guide on Alternative Approaches to Life Safety). References will be made to the 1995 editions.

Timetable:

Action	Date	FR Cite
NPRM	09/11/95	60 FR 47133
NPRM Comment Period End	11/13/95	
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Karen Boies, Ph.D., Deputy Assoc. Director for Addictive Disorders, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8436

RIN: 2900-AH61

3322. TREATMENT OF RESEARCH—RELATED INJURIES TO HUMAN SUBJECTS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 16

Legal Deadline: None

Abstract: VA proposes to amend its regulations to provide (or pay for the provision of) necessary medical treatment to human subjects injured as a result of participation in VA research. All participants in research approved by a VA Research and Development Committee and conducted by VA employees would be eligible for such treatment, even if the research was funded from sources other than the VA research appropriation. Experience suggests that the incidence of research-related injury is low, and therefore the additional costs of this policy will be minimal.

Timetable:

Action	Date	FR Cite
NPRM	09/09/96	61 FR 47469
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ted Lorei, Staff Assistant - Research and Development, Veterans Health Administration (12C), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8285

RIN: 2900-AH68

3323. HOMELESS PROVIDERS GRANT AND PER DIEM PROGRAM, CLARIFICATION OF PER DIEM ELIGIBILITY

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-590

CFR Citation: 38 CFR 17.700

Legal Deadline: None

Abstract: We are proposing to amend the rules pursuant to the Homeless Providers Grant and Per Diem Program. These regulations were established pursuant to Homeless Veterans Comprehensive Services Act of 1992. The regulations set forth provisions to assist public or nonprofit private entities in establishing new programs to furnish supportive services and supportive housing for homeless veterans through grants. The regulations also provide for per diem payments, or in-kind assistance in lieu of per diem payments, to entities that are receiving grants or to entities eligible to receive a grant that established supportive services or a supportive housing program for homeless veterans after November 10, 1992. It is proposed to amend the regulations concerning per diem assistance by: (1) clarifying the definition of eligible entity; (2) establishing a priority for funding eligible entities; and (3) clarifying the maximum amount payable for per diem assistance. These amendments and changes will enable VA to more closely review applications for per diem assistance thus providing better assurances of the quality of services offered to homeless veterans by public or nonprofit entities. Additionally, the rate of payments will be clarified to reflect legislative intent. This regulatory action is important because it allows

VA to determine which programs will best serve the homeless veteran.

Timetable:

Action	Date	FR Cite
NPRM	07/16/96	61 FR 37024
NPRM Comment Period End	09/16/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Roger Casey, Program Manager, VA Homeless Providers Grant and Per Diem Prgm, Mental Health and Behavioral Science, Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8442

RIN: 2900-AH89

3324. • MISCELLANEOUS CHANGES TO PART 17

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 17

Legal Deadline: None

Abstract: This documents amends the Department of Veterans Affairs medical regulations (38 CFR part 17) by making nonsubstantive miscellaneous changes.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Leroy E. Cossette, Acting Dir., Health Administration, Service (161A), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8300

RIN: 2900-AI37

VETERANS BENEFITS ADMINISTRATION

3325. SCHEDULE FOR RATING DISABILITIES—THE CARDIOVASCULAR SYSTEM

Regulatory Plan: This entry is Seq. No. 93 in Part II of this issue of the Federal Register.

RIN: 2900-AE40

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3326. SCHEDULE FOR RATING DISABILITIES—THE MUSCULAR SYSTEM**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.73**Legal Deadline:** None**Abstract:** These amendments will contain additions, deletions and revisions of terminology resulting from a systematic review of the medical criteria used to evaluate disabilities of the muscular system. For the purposes of the Regulatory Plan, VA has identified the individual schedules for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.**Timetable:**

Action	Date	FR Cite
ANPRM	11/08/90	55 FR 46950
ANPRM Comment Period End	01/07/91	
NPRM	06/16/93	58 FR 33235
NPRM Comment Period End	07/16/93	
Final Action	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Carol McBrine, M.D., Consultant, Regulations Staff (213A), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AE89**3327. SCHEDULE FOR RATING DISABILITIES—THE SKIN****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.118**Legal Deadline:** None**Abstract:** These amendments will contain additions, deletions, and

revisions of terminology resulting from a systematic review of the medical criteria used to evaluate skin conditions. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella RIN: 2900-AE40 in the "Additional Information" section of this document.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/91	56 FR 20171
ANPRM Comment Period End	07/01/91	
NPRM	01/19/93	58 FR 4969
NPRM Comment Period End	03/22/93	
Final Action	08/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Carol McBrine, M.D., Consultant, Regulations Staff (213A), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AF00**3328. SCHEDULE FOR RATING DISABILITIES—DISEASES OF THE EAR AND OTHER SENSE ORGANS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.75; 38 CFR 4.76; 38 CFR 4.77; 38 CFR 4.78; 38 CFR 4.79; 38 CFR 4.80; 38 CFR 4.83; 38 CFR 4.84; 38 CFR 4.85; 38 CFR 4.86; 38 CFR 4.87**Legal Deadline:** None**Abstract:** These amendments will contain additions, deletions, and revisions of terminology resulting from a systematic review of the medical criteria used to evaluate impairments of the eye, ear, and other sense organs. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.**Timetable:**

Action	Date	FR Cite
ANPRM	05/02/91	56 FR 20170
ANPRM Comment Period End	07/01/91	
NPRM	04/12/94	59 FR 17295
NPRM Comment Period End	06/13/94	
Final Action	04/00/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Carol McBrine, M.D., Consultant, Regulations Staff (213A), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AF22**3329. AMENDMENTS TO TRAINING AND REHABILITATION PROGRAMS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** PL 102-568**CFR Citation:** 38 CFR 21.40; 38 CFR 21.260; 38 CFR 21.6005; 38 CFR 21.6042; 38 CFR 21.6050; 38 CFR 21.6052; 38 CFR 21.6054; 38 CFR 21.6056; 38 CFR 21.6058; 38 CFR 21.6420; 38 CFR 21.6501; 38 CFR 21.6503; 38 CFR 21.6505; 38 CFR 21.6507; 38 CFR 21.6523; ...**Legal Deadline:** None**Abstract:** The Veterans' Benefits Act of 1992 extends the termination date for the program of vocational training for certain pensioners through December 31, 1995; makes permanent the programs protecting health care benefits for pensioners who lose their benefits due to income from work or training and the special counseling and employment services program for veterans with total disability ratings because of individual unemployability. In addition the law authorizes a 10 percent increase in subsistence allowance for participants in the vocational rehabilitation program, and extends eligibility for vocational rehabilitation to veterans with service-connected disability of 10 percent under certain conditions. The change also includes revisions to implement regulatory reform.

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Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles Graffam, Veterans Claims Examiner (281), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Ave. NW., Washington, DC 20420
Phone: 202 273-7410

RIN: 2900-AG00

3330. FIBROMYALGIA

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.71(a)

Legal Deadline: None

Abstract: This action will add a diagnostic code and criteria for a rheumatologic condition characterized by pain and tender points. For the purposes of the Regulatory Plan, VA has identified this schedule for rating disabilities under the umbrella of RIN: 2900-AE40 in the "Additional Information" section of this document.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/07/96	61 FR 20438
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol McBrine, Consultant, Regulations Staff (213A), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 272-7210

RIN: 2900-AH05

3331. DELEGATION OF AUTHORITY TO PROVIDE RELIEF ON ACCOUNT OF ADMINISTRATIVE ERROR

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 512(a)

CFR Citation: 38 CFR 2.7

Legal Deadline: None

Abstract: This action will make explicit the implied delegation of authority to deny equitable relief claims that was noted in OGC Prec. 11-94.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge, Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH19

3332. LOAN GUARANTY FLOOD INSURANCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 40122; 42 USC 1364; 42 USC 1365; 42 USC 4128

CFR Citation: 38 CFR 36.4222; 38 CFR 36.4326; 38 CFR 36.4402; 38 CFR 36.4500; 38 CFR 36.4512; 38 CFR 36.4600

Legal Deadline: None

Abstract: The Department of Veterans Affairs is amending its loan guaranty regulations to comply with certain provisions of the National Flood Insurance Reform Act of 1994, title V of Public Law 103-325. These amendments strengthen requirements for procuring and maintaining flood insurance on properties which secure loans guaranteed or made by VA and which are located in areas identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards. The amendments also include new procedural requirements for VA to follow in making, servicing, or selling loans, which Public Law 103-325 requires all "Federal agency lenders" to incorporate into regulations.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Judith Caden, Assistant Director for Loan Policy (264), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7368

RIN: 2900-AH63

3333. LOAN GUARANTY: LIMITATION ON DISCOUNT POINTS FINANCED IN CONNECTION WITH INTEREST RATE REDUCTION REFINANCING LOANS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3703; 38 USC 3710; 38 USC 3712

CFR Citation: 38 CFR 36.4223; 38 CFR 36.4306(a)

Legal Deadline: None

Abstract: This regulatory amendment would limit the number of points included in an interest rate reduction refinancing loans. Veterans would still be able to pay more than two points if they choose to do so, but the additional points could not be included in the loan.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/28/96	61 FR 7414
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Judith Caden, Assistant Director for Loan Policy, (264), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7368

RIN: 2900-AH90

3334. VETERANS EDUCATION: APPROVAL OF CORRESPONDENCE COURSES

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-568

CFR Citation: 38 CFR 21.4256; 38 CFR 21.4279

Legal Deadline: None

Abstract: Current regulations provide that in order for a correspondence course to be approved for VA training it must take not less than six hours of preparation a week over any 26-week period and no more than 20 percent of the students should be able to complete the course in less than six months. These substantive rules were based upon authority formerly contained in statute that allowed the Secretary of Veterans Affairs to set

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correspondence course completion standards by regulation. This discretionary authority has been eliminated, and different standards have been incorporated in the statute. The implementing regulations must be amended to reflect statutory provisions.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: June Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AH91

3335. ● FIDUCIARY ACTIVITIES; MISCELLANEOUS

Priority: Info./Admin./Other

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 13.2; 38 CFR 13.55; 38 CFR 13.58; 38 CFR 13.100; 38 CFR 13.103; 38 CFR 13.108; 38 CFR 13.109; 38 CFR 13.73; 38 CFR 13.70; 38 CFR 13.107; 38 CFR 13.110

Legal Deadline: None

Abstract: This document amends the regulations captioned "Veterans Benefits Administration, fiduciary activities" (38 CFR Part 13). It removes provisions that are unnecessary because they are duplicative of other provisions, constitute internal instruction, or constitute restatement of statute. In addition, it removes obsolete provisions concerning the General Post Fund, Funds Due Incompetent Beneficiary accounts, war bond, and adjusted service bonds. It also makes changes to clarify language; to update position titles to reflect administrative changes within VA; and to update authority citations. This final rule makes no substantive changes.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Douglas L. Bragg, Program Analyst (20S53), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6616
Fax: 202 275-5824

RIN: 2900-AI14

3336. ● VOCATIONAL REHABILITATION; MISCELLANEOUS CHANGES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC ch 31

CFR Citation: 38 CFR 21.74; 38 CFR 21.254; 38 CFR 21.256; 38 CFR 21.260; 38 CFR 21.292; 38 CFR 21.430

Legal Deadline: None

Abstract: This proposed rule amends the Department of Veterans Affairs vocational Rehabilitation regulations in 38 CFR part 21 by making a number of nonsubstantive changes. More specifically, a number of delegations of authority are changed to decentralize decisionmaking; numerous changes are made to reflect current organizational structure; and authority citations are updated. In addition, the regulations are amended to reflect subsistence allowance payment rates mandated by the Veterans Benefits Act of 1992 (Public Law No. 102-564). Also, changes are made for purposes of clarity.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles A. Graffman, Veterans Claims Examiner (281), Vocational Rehabilitation Service, Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7410

Fax: 202 275-5122

RIN: 2900-AI29

3337. ● VETERANS EDUCATION: APPROVAL OF INDEPENDENT STUDY

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3675; 38 USC 3680A

CFR Citation: 38 CFR 21.4267

Legal Deadline: None

Abstract: This proposal will modernize the definition of independent study to include the modern technologies used to provide interaction between student and faculty. Furthermore, the proposal will explicitly state State Approving Agency responsibilities in approving independent study courses.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: June C. Schaeffer, Assistant Director for Policy and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI34

3338. ● SPOUSE AND SURVIVING SPOUSE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.50; 38 CFR 3.106(e); 38 CFR 3.205(a); 38 CFR 3.214; 38 CFR 3.252(b); 38 CFR 3.252(e); 38 CFR 3.257; 38 CFR 3.262(k); 38 CFR 3.400(e); 38 CFR 3.401(c); 38 CFR 3.450(c); 38 CFR 3.452(c); 38 CFR 3.666(b); 38 CFR 3.702(e); 38 CFR 3.805; ...

Legal Deadline: None

Abstract: To conform the adjudication regulations with VA policy that all publications will be stated in a manner that does not seem to preclude benefits for female veterans dependents or beneficiaries.

Timetable:

Action	Date	FR Cite
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: None

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Additional Information: 38 CFR 3.857
38 CFR 1.13

Agency Contact: Paul Trowbridge,
Consultant, Regulations Staff (213A),
Veterans Benefits Administration,
Department of Veterans Affairs, 810
Vermont Avenue NW., Washington, DC
20420
Phone: 202 273-7210

RIN: 2900-AI36

3339. • DECISIONS TO CONFORM

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will eliminate
existing text in the CFR.

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.101; 38 CFR
3.352; 38 CFR 14.507

Legal Deadline: None

Abstract: To remove a redundant
provision that states all decisions will
conform to the statutes and VA
regulations and to the precedent
opinions of the General Counsel. Also,
to make a clarifying change to the
regulations concerning criteria for
determining need for aid and
attendance.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve Tomaske,
Consultant, Procedures Staff (231B),
Veterans Benefits Administration,
Department of Veterans Affairs, 810
Vermont Avenue NW., Washington, DC
20420
Phone: 202 273-7256

RIN: 2900-AI39

3340. • UPGRADED DISCHARGES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); PL 95-
126

CFR Citation: 38 CFR 3.12(g); 38 CFR
3.12(h)

Legal Deadline: None

Abstract: To make the adjudication
regulations regarding upgraded
discharges simpler and easier to
understand.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Larry Freiheit,
Consultant, Regulations Staff (213A),
Veterans Benefits Administration,
Department of Veterans Affairs, 810
Vermont Avenue NW., Washington, DC
20420
Phone: 202 273-7252

RIN: 2900-AI40

**3341. • ADJUDICATION
REGULATIONS; MISCELLANEOUS**

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will eliminate
existing text in the CFR.

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.107; 38 CFR
3.315(c); 38 CFR 3.400; 38 CFR 3.709;
38 CFR 3.712; 38 CFR 961; 38 CFR 962;
38 CFR 3.1000(g)

Legal Deadline: None

Abstract: This document amends the
Department of Veterans Affairs
adjudication regulations by removing
obsolete sections, updating authority
citations, and making other
nonsubstantive changes.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Bisset, Jr.,
Consultant, Regulations Staff (231A),
Veterans Benefits Administration,
Department of Veterans Affairs, 810
Vermont Avenue NW., Washington, DC
20420
Phone: 202 273-7230

RIN: 2900-AI43

3342. • DEPENDENCY AND INCOME

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1503

CFR Citation: 38 CFR 3.272(c)

Legal Deadline: None

Abstract: This document amends the
Department of Veterans Affairs

adjudication regulations to exclude
payments of accrued pension benefits
as countable income in determining
entitlement to VA death pension
benefits. This change is needed to
implement a decision of the United
States Court of Veterans Appeals. The
intended effect of this change is to
bring the regulations into conformance
with the decision of the Court.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Bradley B. Flohr,
Consultant, Program Management
(213C), Veterans Benefits
Administration, Department of Veterans
Affairs, 810 Vermont Avenue NW.,
Washington, DC 20420
Phone: 202 273-7241
Fax: 202 273-1756

RIN: 2900-AI47

**3343. • VETERANS EDUCATION:
INCREASED ALLOWANCES OF THE
EDUCATIONAL ASSISTANCE TEST
PROGRAM**

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 2143

CFR Citation: 38 CFR 21.5820; 38 CFR
21.5822

Legal Deadline: None

Abstract: The law provides that rates
of subsistence allowance and
educational assistance payable under
the Educational Assistance Test
Program shall be adjusted annually by
the Secretary of Defense based upon the
average actual cost of attendance at
public institutions of higher learning in
the twelve-month period since the rates
were last adjusted. After consultation
with the Department of Education, the
Department of Defense has concluded
that the rates for the 1996-97 academic
year should be increased by 6% over
the rates payable for the 1995-96
academic year. The regulations dealing
with these rates must be adjusted
accordingly.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer, Assistant Director for Policy, and Program Administration (225), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Ave. NW., Washington, DC 20420
 Phone: 202 273-7187
RIN: 2900-AI53

OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT

3344. • VAAR: COMMERCIAL ITEMS

Priority: Other Significant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.
Legal Authority: 38 USC 501; 40 USC 486(c)
CFR Citation: 48 CFR 807; 48 CFR 810; 48 CFR 811; 48 CFR 812; 48 CFR 836; 48 CFR 846; 48 CFR 852; 48 CFR 870
Legal Deadline: None

Abstract: This document will amend the Department of Veterans Affairs Acquisition Regulations (VAAR) concerning the acquisition of commercial items. It amends provisions to conform to the Federal Acquisition Regulation (FAR), reorganizes material, removes obsolete material, and sets forth internal VA procedures. These amendments are necessary for purposes of clarification and to conform VA regulations with statutory changes made by Public Laws 103-355 and 103-446 and with FAR regulations.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Donald E. Kaliher, Senior Procurement Analyst (95A), Office of Acquisition Policy and Review, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-8819
 Fax: 202 273-9302

Email: Kaliher@mail.va.gov
RIN: 2900-AI05

3345. • MISCELLANEOUS CHANGES TO VA ACQUISITION REGULATIONS

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 501; 40 USC 486(c)
CFR Citation: 48 CFR ch 8
Legal Deadline: None
Abstract: This change will provide title updates and eliminates restatements and provisions that are duplicative of FAR or obsolete.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Ramona Jones, Procurement Analyst (95A), Acquisition Policy and Review Service, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-8818
 Email: Jones@mail.va.gov
RIN: 2900-AI28

3346. • DEFINITIONS AND TERMS FOR PART 802

Priority: Other Significant
Legal Authority: 38 USC 501; 38 USC 486(c)
CFR Citation: 48 CFR ch 8
Legal Deadline: None
Abstract: This document will update official titles in 48 CFR part 802.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Sherry Patton, Senior Procurement Analyst (95A), Office of Acquisition Policy & Review, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8822
RIN: 2900-AI49

3347. • DEPARTMENT PROTEST

Priority: Routine and Frequent
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.
Legal Authority: 38 USC 501; 40 USC 486(c)
CFR Citation: 48 CFR 833; 48 CFR 852
Legal Deadline: None

Abstract: This rulemaking action will amend the Department of Veterans Affairs Acquisition Regulations to delete coverage which duplicates the Federal Acquisition Regulation, update references, and delete internal agency guidance to contracting officers.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None
Government Levels Affected: None
Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Donald E. Kaliher, Senior Procurement Analyst (95A), Office of Acquisition Policy and Review, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-8819
 Fax: 202 273-9302
 Email: Kaliher@mail.va.gov
RIN: 2900-AI51

BOARD OF VETERANS APPEALS

3348. • RULES OF PRACTICE: ORAL ARGUMENT IN FILING APPELLATE BRIEFS

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 5901; 38 USC 5905; 38 USC 7102; 38 USC 7104(a); 38 USC 7105(a); 38 USC 7107
CFR Citation: 38 CFR 20.700; 38 CFR 20.718

Legal Deadline: None
Abstract: The Department of Veterans Affairs is making changes to the Rules

VA

Final Rule Stage

of Practice for the Board of Veterans' Appeals as part of an ongoing effort to streamline the Board's case processing procedures. This change simplifies oral argument procedures and establishes a deadline for the optional filing of appellate briefs with the Board. Currently, there is no time limitation for filing briefs, which can result in considerable delay in consideration of appeals by the Board. The intended effect of this regulatory change is to promote the timely consideration of cases before the Board.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven L. Keller, Chief Counsel (01C), Department of Veterans Affairs, Board of Veterans' Appeals, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 565-5978

RIN: 2900-AI18

3349. • APPEALS REGULATIONS: REMAND FOR FURTHER DEVELOPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 7102; 38 USC 7102(c); 38 USC 7104(a)

CFR Citation: 38 CFR 19.9

Legal Deadline: None

Abstract: The Board of Veterans' Appeals is amending its Appeals Regulations to clarify the circumstances in which the Board is required to remand cases to the VA field facility with original jurisdiction in the case. The change would clarify that remand is unnecessary for certain technical/procedural defects. This change is required to avoid unnecessary remands, which increase the time the individual appellant, and appellants

generally, must wait for a final decision on appeal.

Timetable:

Action	Date	FR Cite
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve Keller, Chief Counsel, Department of Veterans Affairs, Board of Veterans' Appeals, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 565-5978

RIN: 2900-AI50

NATIONAL CEMETERY SYSTEM

3350. • DISINTERMENTS IN NATIONAL CEMETERIES

Priority: Other Significant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 1.621

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to amend regulations concerning disinterments from national cemeteries. Current regulations permit disinterment of persons buried in a national cemetery with the consent of immediate family members. The definition of immediate family members includes a surviving spouse only if unmarried. It is proposed to change the definition of immediate family members for purposes of disinterments to include a surviving spouse regardless of whether remarried or not. This appears to be necessary since we believe the emotional ties of the surviving spouse would be sufficient to justify his or her consent as a condition of disinterment. This document also would make nonsubstantive changes for purposes of clarification.

Timetable:

Action	Date	FR Cite
NPRM	06/20/96	61 FR 31479
NPRM Comment Period End	08/19/96	
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ken Greenberg, Program Analyst (402B1), NCS Communications Division, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5179
Fax: 202 273-6697

RIN: 2900-AI21

OFFICE OF THE GENERAL COUNSEL

3351. DELEGATION OF SUBPOENA AUTHORITY AND DESCRIPTION OF MEANS OF SERVICE

Priority: Other Significant

Legal Authority: 38 USC 501; 38 USC 1711

CFR Citation: 38 CFR 2.1

Legal Deadline: None

Abstract: This action will clarify authority for the use of subpoena power and means of service.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/10/95	60 FR 40756
Final Action	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barry Tapp, Attorney (023A), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6334

RIN: 2900-AH00

DEPARTMENT OF VETERANS AFFAIRS (VA)

Long-Term Actions

3352. LOAN GUARANTY: TITLE EVIDENCE REQUIREMENTS AND OCCUPANCY REQUIREMENTS FOR CONVEYANCE OF PROPERTIES TO VA

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 36.4320

Timetable:

Action	Date	FR Cite
NPRM	08/06/90	55 FR 31847
NPRM Comment Period Extended	10/05/90	55 FR 35325
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Leonard A. Levy
Phone: 202 273-7344

RIN: 2900-AE20

3353. ACCEPTANCE OF PARTIAL PAYMENTS; INDEMNIFICATION OF DEFAULT

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 4202; 38 CFR 4275; 38 CFR 4301; 38 CFR 4315; 38 CFR 4323

Timetable:

Action	Date	FR Cite
NPRM	03/02/94	59 FR 9944
NPRM Comment Period End	05/02/94	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Leonard A. Levy
Phone: 202 273-7344

RIN: 2900-AE60

3354. REVISED DEFINITION OF NET VALUE AND REVISED CRITERIA FOR PRE-FORECLOSURE DEBT WAIVERS

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 36.4301; 38 CFR 36.4323

Timetable:

Action	Date	FR Cite
NPRM	09/22/93	58 FR 49251
NPRM Comment Period End	10/22/93	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Len Levy

Phone: 202 273-7344

RIN: 2900-AG20

3355. DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATION (VAAR): PART 801, VETERANS AFFAIRS ACQUISITION REGULATION SYSTEM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 48 CFR 801

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Sherry Patton (95A)
Phone: 202 273-8818
Email: patton@mail.va.gov

RIN: 2900-AH28

3356. APPEALS REGULATIONS; RULES OF PRACTICE

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 19.3 (Revision); 38 CFR 19.10; 38 CFR 19.15 (Revision); 38 CFR 19.39; 38 CFR 20.3; 38 CFR 20.101 (Revision); 38 CFR 20.102 (Revision); 38 CFR 20.201 (Revision); 38 CFR 20.605 (Revision); 38 CFR 20.609 (Revision); 38 CFR 20.903 (Revision); 38 CFR 20.1000; 38 CFR 20.1001; 38 CFR 20.1002; 38 CFR 20.1100 (Revision); ...

Timetable:

Action	Date	FR Cite
NPRM	02/03/92	57 FR 4131
NPRM Comment Period End	03/04/92	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven L. Keller
Phone: 202 565-5978

RIN: 2900-AE78

3357. RULES OF PRACTICE: MEDICAL OPINIONS; APPEAL PROCESSING AND SUBMISSION OF ADDITIONAL EVIDENCE

Priority: Other Significant

CFR Citation: 38 CFR 19.9; 38 CFR 19.36; 38 CFR 20.3; 38 CFR 20.800; 38 CFR 20.801; 38 CFR 20.802; 38 CFR 20.901; 38 CFR 20.903; 38 CFR 20.1304

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven L. Keller
Phone: 202 565-5978

RIN: 2900-AG90

3358. NONDISCRIMINATION ON THE BASIS OF SEX UNDER FEDERALLY ASSISTED EDUCATION PROGRAMS AND ACTIVITIES

Priority: Other Significant

CFR Citation: 38 CFR 18

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: R. Lamont Johnson
Phone: 202 482-6715

RIN: 2900-AB51

3359. OPERATION OF CHILD CARE CENTERS AT VA FACILITIES

Priority: Info./Admin./Other

CFR Citation: 38 CFR 17

Timetable:

Action	Date	FR Cite
NPRM	12/27/89	54 FR 53078
NPRM Comment Period End	01/26/90	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Renee Bruce
Phone: 410 605-7012
Fax: 410 605-7900

RIN: 2900-AD48

VA **Long-Term Actions**

OFFICE OF FINANCIAL MANAGEMENT

3360. • STANDARDS FOR COLLECTION, COMPRISE, SUSPENSION, OR TERMINATION OF COLLECTION EFFORT, IN REFERRAL OF CIVIL CLAIMS FOR MONEY OR PROPERTY; DELEGATIONS OF AUTHORITY

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.
Legal Authority: 31 USC 3711 to 2720; 38 USC 5314; 38 USC 5315; 38 USC 5302; 38 USC 501

CFR Citation: 38 CFR 1.900 to 1.955; 38 CFR 2.6(c); 4 CFR 101 to 105

Legal Deadline: None

Abstract: VA proposes to revise its current regulations concerning the collection, compromise, suspension, termination and referral of claims owed to VA. This revision will be accomplished by eliminating most of our current regulations and cross referencing others to the GAO/DOJ Governmentwide standards found at 4 CFR parts 101 - 105. Most of our current regulations in this area are a restatement of the GAO/DOJ regulations. In addition, VA also proposes to amend a regulation pertaining to the administration of regional office committees on waivers

and compromise and a regulation pertaining to delegations of authority to the Assistant Secretary for Management.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Peter Mulhern, Office of Financial Management (047GC1), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-5570

RIN: 2900-AI27

DEPARTMENT OF VETERANS AFFAIRS (VA)

Completed Actions

3361. HEALTH PROFESSIONALS' EDUCATIONAL ASSISTANCE PROGRAM

Priority: Info./Admin./Other
CFR Citation: 38 CFR 17.613; 38 CFR 17.614; 38 CFR 17.615; 38 CFR 17.616; 38 CFR 17.617; 38 CFR 17.618; 38 CFR 17.607(c)

Completed:

Reason	Date	FR Cite
Withdrawn	03/18/96	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Eliza M. Wolff, RN, Dr.P.H. .
 Phone: 202 565-7106
RIN: 2900-AF87

3363. MEDICAL; NONSUBSTANTIVE MISCELLANEOUS CHANGES

Priority: Info./Admin./Other
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 38 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	05/13/96	61 FR 21964

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Leroy Cossett
 Phone: 202 273-8300
RIN: 2900-AH95

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Meryl Bullar, Health Education Specialist (143), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-8367
RIN: 2900-AH99

3362. CONTRACT PROGRAM FOR VETERANS WITH ALCOHOL AND DRUG DEPENDENCE DISORDERS

Priority: Substantive, Nonsignificant
CFR Citation: 38 CFR 17.53a

Completed:

Reason	Date	FR Cite
Final Action	11/05/96	61 FR 56897

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined
Agency Contact: Karen Boies, PhD.
 Phone: 202 273-8436
RIN: 2900-AH77

3364. • MEDICAL; VA HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM, CORRECTION

Priority: Substantive, Nonsignificant
Legal Authority: 38 USC 501
CFR Citation: 38 CFR 17

Legal Deadline: None

Abstract: This document corrects the repayment formula for health care professional who fail to comply with service obligations under VA Health Professional Scholarship Program.

Timetable:

Action	Date	FR Cite
Final Action	05/14/96	61 FR 24236

3365. • AUTOPSIES

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 17

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs autopsies regulations.

Timetable:

Action	Date	FR Cite
Final Action	06/10/96	61 FR 29293

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Mary Stitak, Staff Assistant (111E), Pathology and Laboratory Medicine Service, Department of Veterans Affairs, 810

VA

Completed Actions

Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8415
RIN: 2900-AI07

3366. • DELEGATION OF AUTHORITY; NONSUBSTANTIVE ADMINISTRATIVE CHANGES

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 2

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs delegations of authority regulations by removing redundant material.

Timetable:

Action	Date	FR Cite
Final Action	05/07/96	61 FR 20438

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dawn Kirpatrick, Chief, Directive, Forms & Records Management, Veterans Health Administration, Department of Veterans Affairs, 801 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8309

RIN: 2900-AI08

3367. • DELEGATIONS OF AUTHORITY; NONSUBSTANTIVE MISCELLANEOUS CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 2

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs delegations of authority regulations by making nonsubstantive changes.

Timetable:

Action	Date	FR Cite
Final Action	11/01/96	61 FR 56448

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dawn L. Kirkpatrick, Chief, Directive, Forms & Records Management, Veterans Health

Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8309

RIN: 2900-AI17

3368. SCHEDULE FOR RATING DISABILITIES; ENDOCRINE SYSTEM DISABILITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 4.119

Completed:

Reason	Date	FR Cite
Final Action	05/07/96	61 FR 20440
Final Action Effective	06/06/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, M.D.
Phone: 202 273-7210

RIN: 2900-AE41

3369. EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE

Priority: Other Significant

CFR Citation: 38 CFR 21.7520; 38 CFR 21.7540; 38 CFR 21.7576; 38 CFR 21.7612; 38 CFR 21.7620; 38 CFR 21.7622; 38 CFR 21.7624; 38 CFR 21.7631; 38 CFR 21.7635; 38 CFR 21.7636; 38 CFR 21.7639; 38 CFR 21.7640; 38 CFR 21.7642; 38 CFR 21.7645; 38 CFR 21.7653; ...

Completed:

Reason	Date	FR Cite
Final Action	06/10/96	61 FR 29297
Final Action Effective	06/10/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636

RIN: 2900-AE43

3370. SCHEDULE FOR RATING DISABILITIES—THE RESPIRATORY SYSTEM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 4.96; 38 CFR 4.97

Completed:

Reason	Date	FR Cite
Final Action	09/05/96	61 FR 46720

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, MD
Phone: 202 273-7210

RIN: 2900-AE94

3371. SCHEDULE FOR RATING DISABILITIES; INFECTIOUS DISEASES, IMMUNE DISORDERS AND NUTRITIONAL DEFICIENCIES (SYSTEMIC CONDITIONS)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 4.88; 38 CFR 4.88a

Completed:

Reason	Date	FR Cite
Final Action	07/31/96	61 FR 39873
Final Action Effective	08/30/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, M.D.
Phone: 202 273-7210

RIN: 2900-AE95

3372. SCHEDULE FOR RATING DISABILITIES—MENTAL DISORDERS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

VA

Completed Actions

CFR Citation: 38 CFR 4.125; 38 CFR 4.126; 38 CFR 4.127; 38 CFR 4.128; 38 CFR 4.129; 38 CFR 4.130; 38 CFR 4.131; 38 CFR 4.132

Completed:

Reason	Date	FR Cite
Final Action	10/08/96	61 FR 52695

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Caroll McBrine, MD
Phone: 202 273-7210

RIN: 2900-AF01

3373. RESERVISTS' EDUCATION; COMMENCING DATE OF AWARD OF EDUCATIONAL ASSISTANCE

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.7631

Completed:

Reason	Date	FR Cite
Final Action	03/20/96	61 FR 11310
Final Action Effective	03/20/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AF74

3374. VETERANS' EDUCATION; IMPLEMENTATION OF THE VETERANS' BENEFITS ACT OF 1992 AND THE NATIONAL DEFENSE AUTHORIZATION ACT FOR 1993

Priority: Other Significant

CFR Citation: 38 CFR 21.3145; 38 CFR 21.4131; 38 CFR 21.4135; 38 CFR 21.4233; 38 CFR 21.4234; 38 CFR 21.4252; 38 CFR 21.4253; 38 CFR 21.4254; 38 CFR 21.4265; 38 CFR 21.4267; 38 CFR 21.4270; 38 CFR 21.4271; 38 CFR 21.4272; 38 CFR 21.4273; 38 CFR 21.4280; ...

Completed:

Reason	Date	FR Cite
Final Action	02/22/96	61 FR 6780
Final Action Effective	02/22/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AG22

3375. VETERANS' EDUCATION; VETERANS' BENEFITS ACT OF 1992 AND THE NATIONAL DEFENSE AUTHORIZATION ACT OF 1993 IN THE POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.5023; 38 CFR 21.5058; 38 CFR 21.5145; 38 CFR 21.5232; 38 CFR 21.5250; 38 CFR 21.5270

Completed:

Reason	Date	FR Cite
Final Action	02/27/96	61 FR 7217

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AG23

3376. VETERANS EDUCATION; INCREASE IN RATES PAYABLE UNDER THE MONTGOMERY GI BILL ACTIVE DUTY, 1994-95

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.7136; 38 CFR 21.7137

Completed:

Reason	Date	FR Cite
Final Action	04/05/96	61 FR 15190
Final Action Effective	04/05/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Shaeffer
Phone: 202 273-7187
Email: vaedusvc@patriot.net

RIN: 2900-AH14

3377. VETERANS EDUCATION; IMPLEMENTATION OF THE VETERANS BENEFITS IMPROVEMENT ACT OF 1994

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.3333; 38 CFR 21.4137; 38 CFR 21.4152; 38 CFR 21.4155; 38 CFR 21.4200; 38 CFR 21.4201; 38 CFR 21.4252; 38 CFR 21.4256; 38 CFR 21.4260; 38 CFR 21.4279; 38 CFR 21.7020; 38 CFR 21.7045; 38 CFR 21.7120; 38 CFR 21.4820; 38 CFR 21.4822

Completed:

Reason	Date	FR Cite
Final Action	06/10/96	61 FR 29294
Final Action Effective	06/10/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Email: vaedusvc@patriot.net

RIN: 2900-AH31

3378. VETERANS EDUCATION; COURSE MEASUREMENT FOR GRADUATE COURSES

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.4273

Completed:

Reason	Date	FR Cite
Final Action	06/06/96	61 FR 28755

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AH39

3379. COMPENSATION FOR DISABILITY RESULTING FROM HOSPITALIZATION, TREATMENT, EXAMINATION, OR VOCATIONAL REHABILITATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 3.358

Completed:

Reason	Date	FR Cite
Final Action	05/23/96	61 FR 25787
Final Action Effective	07/22/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge
Phone: 202 273-7210

RIN: 2900-AH44

VA

Completed Actions

3380. EXAMINATIONS**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 38 CFR 3.326**Completed:**

Reason	Date	FR Cite
Final Action	03/27/96	61 FR 13424
Final Action Effective	03/27/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Paul Trowbridge
Phone: 202 273-7210**RIN:** 2900-AH48**3381. SERVICEMEN'S AND VETERANS' GROUP LIFE INSURANCE****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 38 CFR 9.1 to 9.36**Completed:**

Reason	Date	FR Cite
Final Action	05/06/96	61 FR 20134

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** George Poole
Phone: 215 951-5718**RIN:** 2900-AH50**3382. EVIDENCE DEPENDENCY AND AGE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 38 CFR 3.204**Completed:**

Reason	Date	FR Cite
Final Action	11/04/96	61 FR 56626

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** John Bisset, Jr.

Phone: 202 273-7230

RIN: 2900-AH51**3383. UNITED STATES GOVERNMENT LIFE INSURANCE****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 38 CFR 6.2 to 6.211**Completed:**

Reason	Date	FR Cite
Final Action	06/07/96	61 FR 29024

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** George Poole
Phone: 215 951-5718**RIN:** 2900-AH52**3384. SOLDIERS' AND SAILORS' CIVIL RELIEF****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 38 CFR 7.2 to 7.33**Completed:**

Reason	Date	FR Cite
Final Action	06/07/96	61 FR 29025

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** George Poole
Phone: 215 951-5718**RIN:** 2900-AH53**3385. VETERANS MORTGAGE LIFE INSURANCE****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 38 CFR 8a.1 to 8a.7**Completed:**

Reason	Date	FR Cite
Final Action	06/07/96	61 FR 29027

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** George Poole

Phone: 215 951-5718

RIN: 2900-AH54**3386. NATIONAL SERVICE LIFE INSURANCE****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 38 CFR 8.0 to 8.119**Completed:**

Reason	Date	FR Cite
Final Action	06/10/96	61 FR 29289

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** George Poole
Phone: 215 951-5718**RIN:** 2900-AH55**3387. RESERVISTS' EDUCATION: TECHNICAL AMENDMENT TO THE MONTGOMERY GI BILL—SELECTED RESERVE PROGRAM****Priority:** Info./Admin./Other**CFR Citation:** 38 CFR 21.4005; 38 CFR 21.4020; 38 CFR 21.4022; 38 CFR 21.4134; 38 CFR 21.4151; 38 CFR 21.4153; 38 CFR 21.4201; 38 CFR 21.4206; 38 CFR 21.4207; 38 CFR 21.4209; 38 CFR 21.4250; 38 CFR 21.4251; 38 CFR 21.4263; 38 CFR 21.5040; 38 CFR 21.5741; ...**Completed:**

Reason	Date	FR Cite
Final Action	05/08/96	61 FR 20727
Final Action Effective	05/08/96	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** June C. Schaeffer
Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AH59**3388. VETERANS AND DEPENDENTS EDUCATION: REVISION AND RESCISSION OF OBSOLETE AND DUPLICATE REGULATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing

VA

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Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 21.1020; 38 CFR 21.1021; 38 CFR 21.1022; 38 CFR 21.1025; 38 CFR 21.1040; 38 CFR 21.1041; 38 CFR 21.1042; 38 CFR 21.1043; 38 CFR 21.1044; 38 CFR 21.1045; 38 CFR 21.3021; 38 CFR 21.3025; 38 CFR 21.3032; 38 CFR 21.3042; 38 CFR 21.3044; ...

Completed:

Reason	Date	FR Cite
Final Action	05/24/96	61 FR 26107
Final Action Effective	05/24/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AH60

3389. REVISION AND RESCISSION OF OBSOLETE AND DUPLICATE REGULATIONS GOVERNING POST-VIETNAM ERA VETERANS EDUCATIONAL ASSISTANCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 38 CFR 21.5020; 38 CFR 21.5064; 38 CFR 21.5074; 38 CFR 21.5135; 38 CFR 21.5141; 38 CFR 21.5200; 38 CFR 21.5292; 38 CFR 21.5300

Completed:

Reason	Date	FR Cite
Final Action	06/07/96	61 FR 29029
Final Action Effective	06/07/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
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Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AH64

3390. ABANDONED CLAIMS

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.109; 38 CFR 3.155

Completed:

Reason	Date	FR Cite
Withdrawn	04/06/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven Thornberry
Phone: 202 273-7210

RIN: 2900-AH65

3391. VETERANS EDUCATION: INCREASED ALLOWANCES FOR THE EDUCATIONAL ASSISTANCE TEST PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.5820; 38 CFR 21.5822

Completed:

Reason	Date	FR Cite
Final Action	06/06/96	61 FR 28753
Final Action Effective	06/06/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AH78

3392. VETERANS EDUCATION: INCREASE IN RATES PAYABLE UNDER THE MONTGOMERY GI BILL ACTIVE DUTY, 1995 - 1996

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.7136; 38 CFR 21.7137

Completed:

Reason	Date	FR Cite
Final Action	05/14/96	61 FR 24237
Final Action Effective	10/01/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AH79

3393. ADJUDICATION REGULATIONS; MISCELLANEOUS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 3.23; 38 CFR 3.24; 38 CFR 3.25; 38 CFR 3.250; 38 CFR 3.252; 38 CFR 3.458; 38 CFR 3.460; 38 CFR 3.461; 38 CFR 3.702; 38 CFR 3.852; 38 CFR 3.901; 38 CFR 3.902; 38 CFR 3.1612

Completed:

Reason	Date	FR Cite
Final Action	05/08/96	61 FR 20726
Final Action Effective	05/08/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge
Phone: 202 273-7210

RIN: 2900-AH83

3394. LUMP SUM PAYMENT UNDER PUBLIC LAW 93-177

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 38 CFR 3.811

Completed:

Reason	Date	FR Cite
Final Action	03/20/96	61 FR 11309
Final Action Effective	03/20/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge
Phone: 202 273-7210

RIN: 2900-AH85

3395. TRAVEL TIME; REMOVAL OF OBSOLETE PROVISIONS FROM THE CFR

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.6

Completed:

Reason	Date	FR Cite
Final Action	03/22/96	61 FR 11731

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge
Phone: 202 273-7210

RIN: 2900-AH86

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3396. REMOVAL OF REFERENCES TO "VICIOUS HABITS"

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.3; 38 CFR 3.314; 38 CFR 3.323

Completed:

Reason	Date	FR Cite
Final Action	05/07/96	61 FR 20438
Final Action Effective	05/07/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge
Phone: 202 273-7210

RIN: 2900-AH87

3397. VETERANS EDUCATION: ADDITIONAL EDUCATIONAL ASSISTANCE WHILE SERVING IN THE SELECTED RESERVE

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.7136; 38 CFR 21.7137; 38 CFR 21.7139

Completed:

Reason	Date	FR Cite
Withdrawn - Withdrawn at request of DOD	07/17/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer
Phone: 202 273-7187

Fax: 202 275-2636

RIN: 2900-AH92

3398. VETERANS BENEFITS ADMINISTRATION, FIDUCIARY ACTIVITIES

Completed:

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 2900-AI14.	04/18/96	

RIN: 2900-AH93

3399. CRITERIA FOR DETERMINING NEED FOR AID AND ATTENDANCE

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.352

Completed:

Reason	Date	FR Cite
Withdrawn	04/09/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul Trowbridge
Phone: 202 273-7210

RIN: 2900-AH96

3400. • LOAN GUARANTEE; REGULATION REFORM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 605; 38 USC 2102; 38 USC 3711; 38 USC 3732; 42 USC 3601 to 3631

CFR Citation: 38 CFR 36.4216; 38 CFR 36.4253; 38 CFR 36.4350; 38 CFR 36.4402; 38 CFR 36.4515; 38 CFR 36.4316; 38 CFR 36.4318; 38 CFR 36.4346; 38 CFR 36.4350; 38 CFR 36.4404; 38 CFR 36.4502; 38 CFR 36.4510; 38 CFR 36.4220; 38 CFR 36.4221; 38 CFR 36.4254

Legal Deadline: None

Abstract: This regulatory document amends the Department of Veterans Affairs regulations governing the VA home loan program by removing provisions that have no legal effect and updating a position title. This document also amends the regulations by incorporating a precedent opinion of the VA General Counsel stating that the law governing the housing loan and specially adapted housing programs does not preclude VA from approving a loan or grant when the property will be held in a Family Living Trust provided the veterans has at least an equitable life estate in the property, the lien for any VA financing attaches to the remainder, and the trust arrangement is valid under State law.

Timetable:

Action	Date	FR Cite
Final Action	06/04/96	61 FR 28057
Final Action Effective	06/04/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: 38 CFR 36.4226 38 CFR 36.4283 38 CFR 36.4312 38 CFR 36.4320 38 CFR 36.4335 38 CFR 36.4342 38 CFR 36.4343 38 CFR 36.4349 38 CFR 36.4352 38 CFR 36.4364 38 CFR 36.4394 38 CFR 36.4408 38 CFR 36.4510 38 CFR 36.4516 38 CFR 36.4518 38 CFR 36.4520 38 CFR 36.4600

Agency Contact: Judith Caden,
Assistant Director for Loan Policy (264),
Veterans Benefits Administration,
Department of Veterans Affairs, 801

Vermont Avenue NW., Washington, DC
20420

Phone: 202 273-7376

Fax: 202 275-3523

RIN: 2900-AI01

3401. • REVISION AND RESCISSION OF OBSOLETE AND DUPLICATIVE REGULATIONS GOVERNING THE MONTGOMERY GI BILL—SELECTIVE RESERVES

Priority: Substantive, Nonsignificant

Legal Authority: 10 USC 16136; 38 USC 3688

CFR Citation: 38 CFR 21.7640; 38 CFR 21.7645; 38 CFR 21.7652; 38 CFR 21.7672; 38 CFR 21.7801; 38 CFR 21.7802; 38 CFR 21.7805; 38 CFR 21.7810

Legal Deadline: None

Abstract: This document amends the regulations governing the Montgomery GI Bill-Selected Reserve. It removes unneeded regulations and revises some that are obsolete.

Timetable:

Action	Date	FR Cite
Final Action	06/11/96	61 FR 29481

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: June C. Schaeffer,
Assistant Director for Policy and
Program Administration (225),
Department of Veterans Affairs,
Veterans Benefits Administration, 810
Vermont Avenue NW., Washington, DC
20420

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI04

3402. • WILLFUL MISCONDUCT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 38 USC 1110; 38 USC 1131; 38 USC 1521(a)

CFR Citation: 38 CFR 3.1(n); 38 CFR 3.1(y)

Legal Deadline: None

Abstract: To remove unnecessary Latin phrases and to remove other

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unnecessary material for purposes of clarity and readability.

Timetable:

Action	Date	FR Cite
Final Action	11/04/96	61 FR 56626

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Larry Freiheit, Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7232

RIN: 2900-AI26

3403. • DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HERBICIDE AGENTS (PROSTATE CANCER AND ACUTE AND SUBACUTE PERIPHERAL NEUROPATHY)

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); PL 102-104

CFR Citation: 38 CFR 3.307(a); 38 CFR 3.309(e)

Legal Deadline: None

Abstract: This document implements a decision of the Secretary of Veterans Affairs that there is a positive association between exposure to herbicides and the subsequent development of prostate cancer and acute and subacute peripheral neuropathy.

Timetable:

Action	Date	FR Cite
NPRM	08/08/96	61 FR 41365
Final Action	11/07/96	61 FR 57586

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Bisset, Jr., Consultant, Regulations Staff (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7230

RIN: 2900-AI35

3404. DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATION—LOAN GUARANTY AND VOCATIONAL REHABILITATION AND COUNSELING PROGRAMS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 871

Completed:

Reason	Date	FR Cite
Final Action	05/07/96	61 FR 20493
Final Action Effective	05/07/96	

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Wanza Lewis (95A)
Phone: 202 565-4424
Email: lewisw@mail.va.gov

RIN: 2900-AG65

3405. DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATION—SERVICE CONTRACTING

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 837; 48 CFR 852

Completed:

Reason	Date	FR Cite
Final Action	10/08/96	61 FR 52709

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Wanza Lewis (95A)
Phone: 202 565-4424
Email: lewisw@mail.va.gov

RIN: 2900-AG67

3406. DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATION (VAAR): ADMINISTRATIVE CHANGES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 801; 48 CFR 814; 48 CFR 833; 48 CFR 836; 48 CFR 852

Completed:

Reason	Date	FR Cite
Final Action	03/21/96	61 FR 11585
Final Action Effective	03/21/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Donald Kaliher (95A)
Phone: 202 273-8819
Fax: 202 273-9302
Email: kaliher@mail.va.gov
RIN: 2900-AH27

3407. • MISCELLANEOUS AMENDMENTS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 38 USC 501; 40 USC 486(c)

CFR Citation: 48 CFR ch 8

Legal Deadline: None

Abstract: This document amended the Department of Veterans Affairs Acquisition Regulation (VAAR) to eliminate restatements of the Federal Acquisition Regulation (FAR); to eliminate provisions duplicative of other provisions in the VAAR; to eliminate internal procedures not required to be included in regulations; to make corrections; and to make clarifications.

Timetable:

Action	Date	FR Cite
Final Action	05/07/96	61 FR 20491

Small Entities Affected: None

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Sherry Patton (95A), Senior Procurement Analyst, Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8818
Email: Patton@mail.va.gov

RIN: 2900-AI02

3408. APPEALS REGULATIONS: RULES OF PRACTICE; BOARD OF VETERANS' APPEALS ADMINISTRATIVE PROCEDURES IMPROVEMENT ACT OF 1994

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 19; 38 CFR 20

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Completed:

Reason	Date	FR Cite
Final Action	05/07/96	61 FR 20447

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven L. Keller
Phone: 202 565-5978

RIN: 2900-AH16

**3409. • RULES OF PRACTICE:
REQUEST FOR AND NOTICES OF
FIELD HEARINGS**

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 7105(a); 38 USC 7107; 38 USC 7110

CFR Citation: 38 CFR 19.76; 38 CFR 20.703

Legal Deadline: None

Abstract: This document amends the Appeals Regulations for the Board of Veterans' Appeals to shorten from 60 days to 30 days the minimum notice the Department of Veterans Affairs must give an appellate of the date and place of a hearing before the Board at a field facility. This change will help reduce the numbers of "no shows" at field hearings.

Timetable:

Action	Date	FR Cite
Final Action	08/20/96	61 FR 43008

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven L. Keller, Chief Counsel (01C), Department of Veterans Affairs, Board of Veterans' Appeals, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 565-5978

RIN: 2900-AI11

**3410. • RULES OF PRACTICE:
ELIMINATION OF UNNECESSARY
PROVISIONS RELATING TO
REPRESENTATION, WITNESSES, AND
ACCESS TO BOARD RECORDS**

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 5701; 38 USC 5903; 38 USC 7102; 38 USC 7105(a); 38 USC 7107

CFR Citation: 38 CFR 20.606; 38 CFR 20.710; 38 CFR 20.1300

Legal Deadline: None

Abstract: This document amends the Rules of Practice for the Board of Veterans' Appeals to eliminate unnecessary provisions concerning individuals who may assist an attorney in presenting evidence and argument at the Board concerning testimony from members of Congress and congressional staff and adjudication appeals of denials of claims for veterans benefits.

Timetable:

Action	Date	FR Cite
Final Action	06/07/96	61 FR 29027
Final Action Effective	06/07/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven L. Keller, Chief Counsel, Department of Veterans Affairs, Board of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 565-5978

RIN: 2900-AI15

**3411. • NATIONAL CEMETERY
SYSTEM**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 38 USC 501; 38 USC 2306; 38 USC 2400; 38 USC 2401; 38 USC 2402; 38 USC 2407; 38 USC ch 83

CFR Citation: 38 CFR 1.600; 38 CFR 1.601; 38 CFR 1.603; 38 CFR 1.604; 38 CFR 1.620; 38 CFR 1.630; 38 CFR 1.631

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) is amending its regulations relating to national cemeteries and headstones and markers to remove provisions that merely restate statutory provisions, duplicate other regulatory provisions, or concern only internal instructions. The effect of this rule will be to reduce the number of federal regulations by eliminating those unnecessary to the efficient administration of the National Cemetery System. This final rule is consistent with the purpose of Executive Order 12866 and the National Performance Review. This rule will be published as a final with no public comment period. The effective date of this rule will be the date of publication in the Federal Register.

Timetable:

Action	Date	FR Cite
Final Action	05/31/96	61 FR 27281

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ken Greenberg, Program Analyst (402B1), NCS Community Division, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5179
Fax: 202 273-6697

RIN: 2900-AI06

**3412. DELEGATION OF AUTHORITY
TO ORDER PAID ADVERTISING FOR
USE IN RECRUITMENT**

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 2.4 (Revision)

Completed:

Reason	Date	FR Cite
Final Action	05/06/96	61 FR 20133
Final Action Effective	05/06/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gloria C. Oliver
Phone: 202 273-9737
Fax: 202 273-6798

Email: olivglo@mail.va.gov

RIN: 2900-AH74

**3413. PART-TIME CAREER
EMPLOYMENT PROGRAM**

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 1.891 to 1.897

Completed:

Reason	Date	FR Cite
Final Action	07/25/96	61 FR 38570
Final Action Effective	07/25/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ellen Kollar

VA

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Phone: 202 273-9748
 Fax: 202 273-5791
 RIN: 2900-AH75

3414. STANDARDS OF ETHICAL CONDUCT AND RELATED RESPONSIBILITIES

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 38 CFR 0

Completed:

Reason	Date	FR Cite
Final Action	03/12/96	61 FR 11308

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James E. Adams
 Phone: 202 273-6354
 Fax: 202 273-6403

RIN: 2900-AH80

3415. DELEGATION OF AUTHORITY TO REGIONAL COUNSELS

Priority: Substantive, Nonsignificant
CFR Citation: 38 CFR 0; 38 CFR 1; 38 CFR 2; 38 CFR 3; 38 CFR 13; 38 CFR 14; 38 CFR 14.501; 38 CFR 14.518; 38 CFR 15; 38 CFR 36

Completed:

Reason	Date	FR Cite
Final Action	02/27/96	61 FR 7215

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Howard Lem
 Phone: 202 565-4885

RIN: 2900-AH81

3416. RULEMAKING PROCEDURES

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 38 CFR 1.12; 38 CFR 1.551

Completed:

Reason	Date	FR Cite
Final Action	03/12/96	61 FR 11309

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas O. Gessel
 Phone: 202 565-7625
 Fax: 202 565-7873

RIN: 2900-AH84

3417. • INVENTIONS BY EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 3710a; 35 USC 266; 38 USC 501; EO 12591

CFR Citation: 37 CFR 501; 38 CFR 1

Legal Deadline: None

Abstract: This rulemaking amends the regulations concerning inventions developed by employees of the Department of Veterans Affairs. It adds the Federal Technology Transfer Act (FTTA) of 1986 as an authority for these regulations. Also, it reflects changes in delegations of authority made by the Department of Commerce, the lead agency concerning patents and inventions. Further, it removes language in the VA regulations that is also set forth in the Department of Commerce regulations. In addition, it makes changes to VA delegations of authority. Lastly, the amendments clarify procedures to be followed by VA employees in reporting inventions.

Timetable:

Action	Date	FR Cite
Final Action	06/11/96	61 FR 29657

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Chuck Delobe, Deputy Assistant General (024B), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-6383

RIN: 2900-AI03

3418. • DELEGATIONS OF AUTHORITY CONCERNING DISCRIMINATION OR REPRISALS

Priority: Substantive, Nonsignificant
Legal Authority: 5 USC 302; 38 USC 501; 38 USC 512; 44 USC 3702

CFR Citation: 38 CFR 2

Legal Deadline: None

Abstract: This rulemaking sets forth delegations of authority to the General Counsel and certain subordinates to make the final decision on a complaint of discrimination on grounds of race, color, religion, sex, national origin, age, disability, or reprisal brought by an employee of the Department of Veterans Affairs. The effect of this action is to clarify and expand CFR material to specify all delegations of authority already made concerning this subject matter

Timetable:

Action	Date	FR Cite
Final Action	05/24/96	61 FR 26107

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Neal C. Lawson, Assistant General Counsel (024), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-6384

RIN: 2900-AI12

3419. • DELEGATIONS OF AUTHORITY; FEDERAL TORT CLAIMS AND DEBT COLLECTIONS

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 5 USC 301 to 302; 38 USC 501; 38 USC 512; 44 USC 3702; 28 USC 2671 to 2680

CFR Citation: 38 CFR 2

Legal Deadline: None

Abstract: This rulemaking amends the Department of Veterans Affairs regulations captioned "DELEGATIONS OF AUTHORITY" and "LEGAL SERVICES, GENERAL COUNSEL." The delegation of authority to Regional Counsels to settle certain claims (Federal Medical Care Recovery Act claims) without approval from the Office of General Counsel is raised to a limit of \$100,000. Further, this document updates statutory references and organizational titles, eliminates references to repealed statutes, eliminates redundant delegations of authority, corrects titles of VA forms, eliminates references to obsolete VA

VA

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forms, reflects that the Baltimore Regional Counsel will have certain jurisdiction over incidents occurring in the Department of Veterans Affairs Central Office, eliminates restatements of Department of Justice regulations, eliminates references to internal VA matters not required to be published in the Federal Register, and makes changes for purposes of clarification.

Timetable:

Action	Date	FR Cite
Final Action	06/03/96	61 FR 27783

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: E. Douglas Bradshaw, Assistant General Counsel (021), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6481

RIN: 2900-AI13

3420. • INFORMATION LAW: MISCELLANEOUS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 1

Legal Deadline: None

Abstract: This rulemaking amends Department of Veterans Affairs regulations concerning information law by eliminating provisions that essentially restate statutory language from the Freedom of Information Act and the Privacy Act.

Timetable:

Action	Date	FR Cite
Final Action	06/07/96	61 FR 29023

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Lorrie Johnson/Jeff Corzatt, Staff Attorney (024A), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6380

RIN: 2900-AI23

3421. • REESTABLISHING RULEMAKING PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 1

Legal Deadline: None

Abstract: In a document published in the Federal Register on March 20, 1996 (61 FR 11309), the Department of Veterans Affairs amended 38 CFR Part 1 by promulgating a final rule that included the elimination of 1.12. The provisions of 1.12 set forth a policy statement concerning prior notice-and-comment for rulemaking. Judicial review of VA's action eliminating 1.12 has been sought on the basis that such action did not comply with notice- and-comment provisions. While we believe such a position is not legally correct, we are by this document reestablishing 1.12, and, in a companion document published in the Federal Register, proposing to eliminate 1.12. This will provide interested parties an opportunity to provide comments concerning this matter, thus mooting the pending litigation.

Timetable:

Action	Date	FR Cite
Final Action	07/01/96	61 FR 33850

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas O. Gessel, Director, Office of Regulations Management (02D), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8605

RIN: 2900-AI32

3422. • RULEMAKING PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 1

Legal Deadline: None

Abstract: In a document recently published in the Federal Register (61 FR 11309), the Department of Veterans Affairs amended the "GENERAL PROVISION" regulations by eliminating a policy statement concerning prior notice-and-comment for rulemaking. That action, taken without prior notice-and-comment, concluded that the policy statement was unnecessary.

Judicial review has been sought on the basis that such action did not comply with the notice-and-comment provisions. While we believe such position is not legally correct, we do not object to providing interested parties with an opportunity to comment on whether the policy statement should be eliminated.

Timetable:

Action	Date	FR Cite
Final Action	07/01/96	61 FR 33878

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas O. Gessel, Director, Office of Regulations Management (02D), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8605

RIN: 2900-AI33

3423. • FEDERAL CIVIL PENALTIES INFLATION ADJUSTMENT

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3710; 31 USC 3802

CFR Citation: 38 CFR 36; 38 CFR 42

Legal Deadline: None

Abstract: This document amends Department of Veterans Affairs regulations by providing notice as required by statute to reflect statutory increases in maximum civil monetary penalties. Under 38 U.S.C. 3710, VA may impose civil monetary penalties for false loan guaranty certifications. Also, under 31 U.S.C. 3802, VA may impose civil monetary penalties for fraudulent claims and for fraudulent statements. The Federal Civil Monetary Penalties Act of 1990, as amended by the Debt Collection Improvement Act of 1996 (the Act), sets forth a formula increasing the maximum statutory amounts for civil monetary penalties and requires VA to give notice of the new maximum amounts by regulation. Accordingly, this document gives notice that the maximum civil monetary penalties have been increased as follows: (1) \$11,000 maximum civil monetary penalty for false loan guaranty certifications; (2) \$5,500 maximum civil monetary penalty for fraudulent claims; and (3) \$5,500 maximum civil monetary penalty for fraudulent statements.

VA

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	11/01/96	61 FR 56449

Small Entities Affected: None

Government Levels Affected: None

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RIN: 2900-AI48

3424. • GENDER POLICY FOR VA PUBLICATIONS AND OTHER PUBLICATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 1

Legal Deadline: None

Abstract: This document amends regulations of the Department of Veterans Affairs by removing 1.13 of 38 CFR. This section provided that VA publications and other communications must avoid using language referring only to the masculine gender when the female gender also was intended to be included. This guidance was intended to avoid any incorrect appearance of seeming to preclude benefits for female veterans, dependents, or beneficiaries. Although, VA is fully committed to the gender-neutral concepts that were set forth in 1.13, the material from 1.13 is removed since the mandate from that section is being accomplished through internal issuances.

Timetable:

Action	Date	FR Cite
Final Action	05/31/96	61 FR 27282

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kenneth Hoffman, Dir., Information Resources Management, Policy & Standards Service (045A3), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8129

RIN: 2900-AI09

3425. • INVESTIGATION REGULATION

Priority: Info./Admin./Other

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 1

Legal Deadline: None

Abstract: Removal of 38 CFR 1.450 through 1.455 as obsolete, superseded by Inspector General Act of 1978, as amended (5 U.S.C. App. 3)

Timetable:

Action	Date	FR Cite
Final Action	06/07/96	61 FR 29023

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph M. Vallowe, Attorney Advisor (50C2), Office of the Inspector General, Department of Veterans Affairs, 810 Vermont Avenue, NWS, Washington, DC 20420
 Phone: 202 565-8623

RIN: 2900-AI25

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