



Monday
April 27, 1998

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 April 1998. 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 at (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 that VA will have under development or review.

Dated: February 24, 1998.

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

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3006	Aid to States for Care of Veterans in State Homes and Grants to States for Construction or Acquisition of State Home Facilities	2900-AE87
3007	Exemption from Pharmacy Copay	2900-AJ12
3008	Enrollment and Provisions of Hospital Care and Medical Services	2900-AJ18
3009	Definition of Adjunct Conditions for Reimbursement Purposes	2900-AJ20
3010	Clothing Allowance	2900-AJ21
3011	Provision of Aids to the Blind	2900-AJ22
3012	Schedule for Rating Disabilities—The Orthopedic System	2900-AE91
3013	Schedule for Rating Disabilities—Neurological Conditions and Convulsive Disorders	2900-AF23
3014	Schedule for Rating Disabilities—Digestive System	2900-AF24
3015	Individual Unemployability	2900-AH21
3016	Evidence in File at Date of Death	2900-AH42
3017	Vision	2900-AH43
3018	Veterans Education: Effective Date for the Award of Educational Assistance	2900-AH76
3019	Veterans Education: Advanced Payments & Lump Sum Payments for Educational Assistance	2900-AI31
3020	Ankylosis and Limitation of Motion of Digits of the Hands	2900-AI44
3021	New Eligibility Criteria for the Montgomery GI Bill—Active Duty, Other Miscellaneous Issues	2900-AI63
3022	Revision of Decision	2900-AI64
3023	New Criteria for Approval of Courses for Educational Assistance Programs	2900-AI67
3024	Reservist Education: Monthly Verification of Enrollment and Other Reports	2900-AI68
3025	Veterans' Education: Reporting and Recordkeeping Requirements at Flight Schools	2900-AJ23
3026	Purchase Card/Electronic Data Interchange	2900-AI41
3027	Transportation: VAAR Part 847	2900-AI56
3028	Department of Veterans Affairs Acquisition Regulation— Simplified Acquisition Procedures for Health Care Resources	2900-AI71
3029	Contractor Qualifications	2900-AJ05
3030	VAAR Part 803—Improper Business Practices and Personal Conflict of Interest, and Part 852—Solicitation Provisions in Contract Clauses	2900-AJ06
3031	VA Acquisition Regulations: Simplified Acquisition Procedures	2900-AJ16
3032	Board of Veterans' Appeals: Rules of Practice—Revision of Decisions on Grounds of Clear and Unmistakable Error	2900-AJ15
3033	Headstone and Marker Inscription Policy	2900-AH45
3034	State Cemetery Grants: Aid to States for Establishment, Expansion and Improvement of Veterans Cemeteries	2900-AH46
3035	Eligibility for Burial	2900-AI95
3036	Fee to Trace Vendors' VA-Issued Checks	2900-AI38
3037	Release of Information From Department of Veterans Affairs Records	2900-AH98
3038	Recognition of Organizations and Accreditation of Representatives	2900-AI93
3039	Entities Authorized To Receive and Distribute Department of Defense Surplus Food	2900-AI82

VA

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3040	CHAMPVA Regulations	2900-AE64
3041	Payment for Non-VA Outpatient Office Visits and Payment for Inpatient Non-VA Physician Services	2900-AH66
3042	Informed Consent for Patient Care	2900-AH72
3043	Reporting Health Care Professionals to State Licensing Boards	2900-AI78
3044	Reconsideration of Denied Claims	2900-AJ03
3045	Medication Prescribing Authority	2900-AJ07
3046	Provision of Drugs and Medicines Prescribed by Non-VA Physicians	2900-AJ24
3047	Schedule for Rating Disabilities—The Skin	2900-AF00
3048	Schedule for Rating Disabilities—Diseases of the Ear and Other Sense Organs	2900-AF22
3049	Veterans' Education; Suspension and Discontinuance of Payments	2900-AF85
3050	Amendments to Training and Rehabilitation Programs	2900-AG00
3051	Fibromyalgia	2900-AH05
3052	Service Connection for Dental Conditions for Treatment Purposes	2900-AH41
3053	Election of Education Benefits	2900-AH88
3054	Claims Based on Exposure to Ionizing Radiation (Prostate Cancer and Any Other Cancer)	2900-AI00
3055	Fiduciary Activities; Miscellaneous	2900-AI14
3056	Intervertebral Disc Syndrome	2900-AI22
3057	Cold Injuries	2900-AI46
3058	Veterans Training: Increase in Rates Payable Under 38 USC Chapter 31	2900-AI74
3059	Amended Criteria for Approval of Flight Training Courses	2900-AI76
3060	Veterans Training: Time Limits for Submitting Certifications Under Service Members Occupational Conversion and Training Acts	2900-AI85
3061	Veterans Education: Effective Date for Awards of Educational Assistance to Veterans Who Were Voluntarily Discharged	2900-AI88
3062	Direct Service Connection (Post-Traumatic Stress Disorder)	2900-AI97
3063	Use of Facilities To Provide Training or Work Experience for Veterans	2900-AJ01
3064	Additional Disability or Death Due to Hospital Care, Medical or Surgical Treatment, Examination, or Training and Rehabilitation Services	2900-AJ04
3065	Eligibility Reporting Requirements	2900-AJ09
3066	Veterans Education: Increase in Rates Payable for Cooperative Training Under the Montgomery GI Bill - Active Duty	2900-AJ10
3067	Minimum Income Annuity	2900-AJ17
3068	Dependents' Education: Eligibility and Entitlement Standards	2900-AJ19
3069	Veterans' Benefits Act of 1997	2900-AJ25
3070	VAAR: Commercial Items	2900-AI05
3071	Definitions and Terms for Part 802	2900-AI49
3072	VA Acquisition Regulations: Title Update	2900-AI62
3073	VA Acquisition Regulations Part 801, Legal/Technical Review Requirements	2900-AI96
3074	Sealed Bidding and Competitive Proposals	2900-AI99
3075	Rules of Practice: Continuation of Representation Following Death of a Claimant or Appellant	2900-AI87
3076	Board of Veterans Appeals—Rules of Practice—Attorney Fee Matters	2900-AI98

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3077	Protection of Human Subjects	2900-AJ08
3078	Loan Guaranty: Title Evidence Requirements and Occupancy Requirements for Conveyance of Properties to VA ..	2900-AE20
3079	Acceptance of Partial Payments; Indemnification of Default	2900-AE60
3080	Revised Definition of Net Value and Revised Criteria for Pre-Foreclosure Debt Waivers	2900-AG20
3081	Delegation of Authority To Provide Relief on Account of Administrative Error	2900-AH19
3082	Medical Evidence That a Disability Has Improved	2900-AH82
3083	Computation of Income	2900-AH94
3084	Child Custody	2900-AI10
3085	Claims Based on Aggravation of Nonservice-Connected Disability	2900-AI42
3086	Diseases Subject to Presumptive Service Connection	2900-AI81
3087	Loan Guaranty: Requirements for Interest Rate Reduction Refinancing Loans	2900-AI92

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Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3088	Additional Requirements for Interest Rate Reduction Refinancing Loans	2900-AJ02
3089	Appeals Regulations; Rules of Practice	2900-AE78
3090	Rules of Practice; Hearings	2900-AG07
3091	Rules of Practice: Medical Opinions; Appeal Processing and Submission of Additional Evidence	2900-AG90
3092	Rules of Practice: Oral Argument in Filing Appellate Briefs	2900-AI18
3093	Nondiscrimination on the Basis of Sex Under Federally Assisted Education Programs and Activities	2900-AB51
3094	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefitting from Federal Financial Assistance	2900-AJ11
3095	Operation of Child Care Centers at VA Facilities	2900-AD48

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3096	Treatment of Research-Related Injuries to Human Subjects	2900-AH68
3097	Sensori-Neural Aids Eligibility	2900-AI60
3098	Medical	2900-AI80
3099	Grants to States for Construction or Acquisition of State Home Facilities	2900-AI84
3100	Schedule for Rating Disabilities—The Cardiovascular System	2900-AE40
3101	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
3102	Loan Guaranty: Electronic Payment of Funding Fee	2900-AH73
3103	Veterans Education: Approval of Correspondence Courses	2900-AH91
3104	Loan Guaranty: Credit Standards	2900-AI16
3105	Veterans Education: Approval of Independent Study	2900-AI34
3106	Survivors and Dependents Education: Extension of Eligibility Period	2900-AI45
3107	Veterans Education: Reduction in Required Reports	2900-AI58
3108	Miscellaneous Educational Revisions	2900-AI69
3109	Servicemen's and Veterans' Group Life Insurance	2900-AI73
3110	Compensation for Certain Undiagnosed Illnesses	2900-AI77
3111	Veterans and Reservists Education: Additional Educational Assistance While Serving in the Selected Reserves	2900-AI79
3112	Survivor Benefit Plan Minimum Income Annuity	2900-AI83
3113	Increase in Rates Payable Under the Montgomery GI Bill— Selected Reserve	2900-AI89
3114	Veteran Education: Rate Increase for 1997-1998 School Year in Montgomery GI Bill—Active Duty	2900-AI90
3115	Active Military Service Certified Under Section 401 of Public Law 95-202	2900-AI91
3116	Veterans Education: Increased Allowances for the Educational Assistance Test Program	2900-AI94
3117	Miscellaneous Changes to VA Acquisition Regulations	2900-AI28
3118	Department Protests	2900-AI51
3119	Appeals Regulations: Remand for Further Development	2900-AI50
3120	Rules of Practice: Death of Appellant During Pendency of Appeal	2900-AI86
3121	Disinterments in National Cemeteries	2900-AI21
3122	Standards for Collection, Compromise, Suspension, or Termination of Collection Effort, in Referral of Civil Claims for Money or Property; Delegations of Authority	2900-AI27
3123	Delegations of Authority—Decisionmaking Regarding Discrimination	2900-AJ14
3124	Administrative Requirements for Grantees To Reflect Single Audit Act Amendments	2900-AJ00

DEPARTMENT OF VETERANS AFFAIRS (VA)

Proposed Rule Stage

VETERANS HEALTH ADMINISTRATION**3006. 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; 38 USC 8135; 38 USC 8136; 38 USC 8137**CFR Citation:** 38 CFR 17.190 to 17.222**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	04/00/98	

Small Entities Affected: None**Government Levels Affected:** State, Local**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**3007. • EXEMPTION FROM PHARMACY COPAY****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501**CFR Citation:** 38 CFR 17**Legal Deadline:** None**Abstract:** To clearly establish the base pension rate adjustment for number of dependents as the income threshold as a means to determine exemption from medication copayment.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Richard Rhoades, Director, Field Support, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8205

Fax: 202 273-6485

Email: d.rhoades@mail.va.gov

RIN: 2900-AJ12**3008. • ENROLLMENT AND PROVISIONS OF HOSPITAL CARE AND MEDICAL SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 1721**CFR Citation:** 38 CFR 1710**Legal Deadline:** NPRM, Statutory, October 1, 1998. Final, Statutory, October 1, 1998.**Abstract:** This document amends the Department of Veterans Affairs medical regulations to implement the requirement that certain veterans enroll in VA healthcare enrollment system as a condition for receiving hospital care and medical services.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Roscoe Butler, Program Specialist, Veterans Health Administration (10C3), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8302

RIN: 2900-AJ18**3009. • DEFINITION OF ADJUNCT CONDITIONS FOR REIMBURSEMENT PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1729**CFR Citation:** 38 CFR 17.101**Legal Deadline:** None**Abstract:** To provide a definition of adjunct conditions as it relates to VA's interpretation of provisions regarding authority to seek reimbursement from health insurance carriers for the treatment of nonservice-connected conditions. The definition seeks to establish uniformly that adjunct conditions are nonservice-connected conditions.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Nancy Howard, Senior Program Analyst, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8198

RIN: 2900-AJ20**3010. • CLOTHING ALLOWANCE****Priority:** Info./Admin./Other**Legal Authority:** 38 USC 1162**CFR Citation:** 38 CFR 3.810**Legal Deadline:** None

VA

Proposed Rule Stage

Abstract: The regulatory action needs to be amended to contain specific language that submission of torn, worn, damaged clothing is not a specific condition for approving clothing allowances.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Clements, Acting Chief, Consultant, Prosthetic and Sensory Aids Strategic Healthcare Group, Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8515

Fax: 202 273-9110

RIN: 2900-AJ21

3011. • PROVISION OF AIDS TO THE BLIND

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1162; 38 USC 1710; 38 USC 1714(b)

CFR Citation: 38 CFR 3.810

Legal Deadline: None

Abstract: The regulatory action needs to be amended to contain specific language for furnishing aids for the Blind as part of prosthetic services to veterans receiving VA care under the authority of 38 U.S.C. section 1710, as amended by Public Law 104-262 and to those veterans eligible under the authority of 38 U.S.C. 1714(b).

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Clements, Acting Chief, Consultant, Prosthetic and Sensory Aids Strategic Healthcare Group, Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8515

Fax: 202 273-9110

RIN: 2900-AJ22

VETERANS BENEFITS ADMINISTRATION

3012. 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 revisions of terminology resulting from a systematic review of the medical criteria used to evaluate disabilities of the orthopedic system.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/90	55 FR 53315
ANPRM Comment	02/26/91	
Period End		
NPRM	12/00/98	

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

3013. 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.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/91	56 FR 20169
ANPRM Comment	07/01/91	
Period End		
NPRM	12/00/98	

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

3014. 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.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/91	56 FR 20168
ANPRM Comment	07/01/91	
Period End		
NPRM	12/00/98	

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

VA

Proposed Rule Stage

3015. 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	06/00/98	

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**3016. 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).**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	

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-AH42**3017. 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.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	

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**3018. 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	05/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr., Education Advisor (225C), 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**3019. VETERANS EDUCATION: ADVANCED PAYMENTS & LUMP SUM PAYMENTS FOR EDUCATIONAL ASSISTANCE****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 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	05/00/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr., Education Advisor (225C),

VA

Proposed Rule Stage

Department of Veterans Affairs,
Veterans Benefits Administration, 810
Vermont Avenue NW., Washington, DC
20420
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RIN: 2900-AI31

3020. 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	06/00/98	

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: 202 273-7230

RIN: 2900-AI44

3021. NEW ELIGIBILITY CRITERIA FOR THE MONTGOMERY GI BILL—ACTIVE DUTY, OTHER MISCELLANEOUS ISSUES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3002; 38 USC 3011; 38 USC 3012; 38 USC 3018; 38 USC 3018C; 38 USC 3452; 38 USC 3680A; PL 104-275, sec 107

CFR Citation: 38 CFR 21.4135; 38 CFR 21.5021; 38 CFR 21.5058; 38 CFR 21.5130; 38 CFR 21.7020; 38 CFR 21.7042; 38 CFR 21.7045; 38 CFR 21.7050; 38 CFR 21.7520

Legal Deadline: None

Abstract: This proposed rule will implement various provisions of the National Defense Authorization Act for Fiscal Year 1997, and the Veterans Benefits Improvement Act of 1996. It

will set forth new eligibility criteria that will allow additional individuals to establish eligibility for educational assistance under the Montgomery GI Bill - Active Duty; make permanent certain provisions concerning the approval of courses leading to alternative teacher certification; and make other modifications for the purpose of clarification.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI63

3022. REVISION OF DECISION

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.7; 38 CFR 3.103(a); 38 CFR 3.105(b); 38 CFR 3.321; 38 CFR 3.400; 38 CFR 3.401; 38 CFR 3.800

Legal Deadline: None

Abstract: To amend VA regulations concerning the revision of decisions that are not clearly and unmistakably erroneous. This rulemaking authorizes designated personnel at VA regional offices, rather than VA's Central Office, to review certain adjudicated claims and, if warranted, grant a benefit sought by the claimant.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

Phone: 202 273-7230

RIN: 2900-AI64

3023. NEW CRITERIA FOR APPROVAL OF COURSES FOR EDUCATIONAL ASSISTANCE PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3680A

CFR Citation: 38 CFR 21.4251; 38 CFR 21.4252; 38 CFR 21.4253; 38 CFR 21.7122; 38 CFR 21.7622

Legal Deadline: None

Abstract: This rule will bring various regulations into agreement with the Veterans Benefits Improvements Act of 1996. It will include new criteria for use in approving courses for the educational programs VA administers; it will include new criteria for VA to use in approving enrollments in courses. It will make other changes for the purposes of clarification.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7187

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Email: vaedusvc@patriot.net

RIN: 2900-AI67

3024. RESERVIST EDUCATION: MONTHLY VERIFICATION OF ENROLLMENT AND OTHER REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 10 USC 16136(b); 38 USC 3680(g); 38 USC 3684; 38 USC 5113

CFR Citation: 38 CFR 21.7635; 38 CFR 21.7654; 38 CFR 21.7656

Legal Deadline: None

Abstract: This rule will expand the current requirement that some reservists receiving educational assistance under the Montgomery GI Bill - Selected Reserve verify their pursuit of a program of education monthly to include those reservists who are pursuing a standard college degree. At the same time the number of reports VA receives from educational institutions will be reduced. This will be a cost-effective way to reduce overpayments.

VA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

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

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RIN: 2900-AI68

3025. • VETERANS' EDUCATION: REPORTING AND RECORDKEEPING REQUIREMENTS AT FLIGHT SCHOOLS

Priority: Substantive, Nonsignificant**Legal Authority:** 10 USC 16136; 38 USC 3002; 38 USC 3034; 38 USC 3202; 38 USC 3241; 38 USC 3452; 38 USC 3471; 38 USC 5101**CFR Citation:** 38 CFR 21.4235; 38 CFR 21.4263**Legal Deadline:** None

Abstract: Veterans are required by statute to apply for any benefit the Department of Veterans Affairs administers. This proposal will describe the information to be included in an application for educational assistance for the pursuit of flight training. VA believes that in order to comply with various statutory requirements connected with the educational programs VA administers, flight schools with courses approved for VA training will have to keep some records beyond those required by the Federal Aviation Administration. This proposal will state those recordkeeping requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

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

Agency Contact: William G. Susling, Jr., Education Advisor, Veterans Benefits Administration (225c), Department of Veterans Affairs, 810 Vermont Avenue, Washington, DC 20420
Phone: 202 273-7187

Fax: 202 273-2636

RIN: 2900-AJ23

OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT

3026. PURCHASE CARD/ELECTRONIC DATA INTERCHANGE

Priority: Info./Admin./Other**Legal Authority:** 38 USC 501; 40 USC 486(c); 42 USC 7254**CFR Citation:** 48 CFR 812; 48 CFR 832; 48 CFR 852**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its acquisition regulations to require contractors to accept the Governmentwide commercial purchase card for payment of goods and/or services valued below the simplified acquisition threshold (SAT) and/or to use electronic data interchange (EDI) for both ordering and billing purposes. Requiring the use of purchase cards and/or EDI 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	04/00/98	

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: 202 273-8819
Fax: 202 273-9302
Email: donald.kaliher@mail.va.gov

RIN: 2900-AI41

3027. TRANSPORTATION: VAAR PART 847

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 847**Legal Deadline:** None

Abstract: This change will update VA Acquisition Regulation chapters 47 and 52 and remove obsolete material.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

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: John A. Corso, Senior Procurement Analyst (95A), Acquisition Policy Team, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8818
Fax: 202 273-9302
Email: john.corso@mail.va.gov

RIN: 2900-AI56

3028. DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATION—SIMPLIFIED ACQUISITION PROCEDURES FOR HEALTH CARE RESOURCES

Priority: Info./Admin./Other**Legal Authority:** 38 USC 8153**CFR Citation:** 48 CFR 801; 48 CFR 806; 48 CFR 812; 48 CFR 837; 48 CFR 852; 48 CFR 873**Legal Deadline:** None

Abstract: Section 301 of Pub. L. 104-262, the Veterans' Health Care Eligibility Reform Act of 1996 authorizes the Secretary of Veterans Affairs to establish simplified acquisition procedures for the purchase of commercial health care services, the use of medical equipment or space. These acquisition procedures will help maximize the efficiency of the acquisition process and strengthen the medical programs of the Department of Veterans Affairs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

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

VA

Proposed Rule Stage

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.

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RIN: 2900-AI71

3029. • CONTRACTOR QUALIFICATIONS

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; 38 USC 486(c)

CFR Citation: 48 CFR 809

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to amend VA Acquisition Regulations to update VA debarment and suspension purchases, remove a certification requirement regarding conflict of interest, add a standard provision for use by contracting officers to collect current required information, update references and titles, delegate authority, reorganize material and delete obsolete material.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

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, Senior Procurement Analyst (95A), Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-8819
 Fax: 202 273-9302

Email: donald.kaliher@mail.va.gov

RIN: 2900-AJ05

3030. • VAAR PART 803—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICT OF INTEREST, AND PART 852—SOLICITATION PROVISIONS IN CONTRACT CLAUSES

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 803; 48 CFR 852

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs Acquisition Regulation (VAAR) concerning the requirement to include an Ethics in Government Act certification in solicitations. This amendment is necessary to delete this requirement pursuant to the Clinger-Cohen Act, Section 4301, which stipulates that all certification requirements not required by law be eliminated from agency supplemental acquisition regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	

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: John A. Corso, Senior Procurement Analyst (95A), Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-8754
 Fax: 202 273-9302
 Email: john.corso@mail.va.gov

RIN: 2900-AJ06

3031. • VA ACQUISITION REGULATIONS: SIMPLIFIED ACQUISITION PROCEDURES

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 813; 48 CFR 852; 48 CFR 853

Legal Deadline: None

Abstract: This rule proposes to amend the Department of Veterans Affairs Acquisition Regulation (VAAR) concerning simplified acquisition procedures. It proposes to amend VAAR provisions to conform to the Federal Acquisition Regulation, to update references and section titles, to reorganize material, and to remove obsolete material. This rule proposes to set forth a requirement for VA contracting officers to use certain VAAR provisions and clauses, or portions thereof, in full text. The rule also proposes to set forth a new provision and a new clause for use by contracting officers, when incorporating provisions and clauses, or portions thereof, by reference, to notify offerors and contractors of the location where VAAR provisions and clauses may be accessed electronically via the Internet.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	

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.

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RIN: 2900-AJ16

BOARD OF VETERANS APPEALS

3032. • BOARD OF VETERANS' APPEALS: RULES OF PRACTICE—REVISION OF DECISIONS ON GROUNDS OF CLEAR AND UNMISTAKABLE ERROR

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 7104(d); 38 USC 7111

CFR Citation: 38 CFR 20.609; 38 CFR 20.1000; 38 CFR 20.1001; 38 CFR

VA

Proposed Rule Stage

20.1400 New; 38 CFR 20.1401 New; 38 CFR 20.1402 New; 38 CFR 20.1403 New; 38 CFR 20.1404 New; 38 CFR 20.1405 New; 38 CFR 20.1406 New; 38 CFR 20.1407 New; 38 CFR 20.1408 New; 38 CFR 20.1409 New

Legal Deadline: None

Abstract: The Board of Veterans' Appeals is proposing to amend its Rules of Practice to implement the provisions of Public Law 105-111, which permits challenges to Board decisions on the grounds of "clear and unmistakable error" (CUE). The amendments would (1) provide specific application procedures; (2) establish decision standards based on established caselaw; and (3) eliminate the Board's Chairman's discretionary review under "reconsideration" as duplicative, particularly given the Board's limited resources. These changes are necessary to implement the new statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steve L. Keller, Chief Counsel (01C), Board of Veterans Appeals, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 205 565-5978

RIN: 2900-AJ15

NATIONAL CEMETERY SYSTEM

3033. HEADSTONE AND MARKER INSCRIPTION POLICY

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.

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 expense, such as specific valor awards or other items paid for at private expense. The rule is published as proposed in the Federal Register to provide information to the public on specific changes to VA's 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 a 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	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sonja McCombs, Program Analyst (402B1), NCS Communications Division, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5183
Fax: 202 273-6697

RIN: 2900-AH45

3034. STATE CEMETERY GRANTS: AID TO STATES FOR ESTABLISHMENT, EXPANSION AND IMPROVEMENT OF VETERANS CEMETERIES

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.

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 (New)

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 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	09/00/98	

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

3035. ELIGIBILITY FOR BURIAL

Priority: Other Significant

Legal Authority: 38 USC 2402(5)

CFR Citation: 38 CFR 1.620(c)

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to amend regulations to specify that the eligibility of veterans' adult children for burial in a national cemetery is only for those who have become permanently incapable of self support before attaining the age of 21 years due to a physical or mental disability. Current regulations do not clearly express this requirement.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	

Small Entities Affected: None

VA

Proposed Rule Stage

Government Levels Affected: None
Agency Contact: Sonja McCombs, Program Analyst (402B1), NCS Communications Division, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-5183
 Fax: 202 273-6695
RIN: 2900-AI95

OFFICE OF FINANCIAL MANAGEMENT

3036. 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	10/00/98	

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

3037. 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	04/00/98	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Lorraine M. Johnson, Deputy Assistant General Counsel, Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-6381
RIN: 2900-AH98

3038. RECOGNITION OF ORGANIZATIONS AND ACCREDITATION OF REPRESENTATIVES

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: 5 USC 301; 38 USC 501(a); 38 USC 5901 to 5905
CFR Citation: 38 CFR 14.626 to 14.635
Legal Deadline: None

Abstract: The Department of Veterans Affairs proposes to revise and clarify existing procedures and requirements regarding certification or recognition of service organizations and their representatives, and other individuals, agents and attorneys representing claimants for benefits administered by VA. The revisions are designed to improve VA's ability to assure high quality representation of claimants.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None
Government Levels Affected: State
Agency Contact: Richard J. Hipolit (022A), Deputy Assistant General Counsel, Office of the General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-6404
RIN: 2900-AI93

OFFICE OF INTERGOVERNMENTAL AFFAIRS

3039. ENTITIES AUTHORIZED TO RECEIVE AND DISTRIBUTE DEPARTMENT OF DEFENSE SURPLUS FOOD

Priority: Substantive, Nonsignificant
Legal Authority: 10 USC 2485; 38 USC 501
CFR Citation: 38 CFR 17.1000(New)

Legal Deadline: None
Abstract: This document proposes to amend the Department of Veterans Affairs (VA) regulations by setting forth procedures for VA to designate entities as authorized for receipt and distribution of surplus food donated by the Department of Defense (DOD). This is necessary to implement a statutory mandate. This document also proposes to obtain approval of collection of information provisions concerning entities seeking designation by VA as authorized to receive and distribute the surplus food donated by DOD.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Peter Dougherty, Program Analyst (075), Intergovernmental Affairs, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
 Phone: 202 273-5774

RIN: 2900-AI82

DEPARTMENT OF VETERANS AFFAIRS (VA)

Final Rule Stage

VETERANS HEALTH
ADMINISTRATION

3040. CHAMPVA REGULATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 38 USC 1713**CFR Citation:** 38 CFR 17.84**Legal Deadline:** None

Abstract: Title 38 CFR part 17, section 17.84, 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
NPRM Comment Period End	12/31/96	
Final Action	04/00/98	

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

Agency Contact: Susan K. Schmetzer, Chief, Policy and Strategic Planning, Health Administration Center, Department of Veterans Affairs, 300 South Jackson Street, Denver, CO 80209
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Fax: 303 331-7830
Email: schmetzer@champva.denver.va.gov

RIN: 2900-AE643041. PAYMENT FOR NON-VA
OUTPATIENT OFFICE VISITS AND
PAYMENT FOR INPATIENT NON-VA
PHYSICIAN SERVICES**Priority:** Other Significant**Legal Authority:** 38 USC 1703**CFR Citation:** 38 CFR 17.55; 38 CFR 17.56; 38 CFR 17.128; 38 CFR 17.50f(h)**Legal Deadline:** None

Abstract: This final rule will amend part 17.50f(h) to change payment for non-VA outpatient office visits and payment for inpatient non-VA physician services provided to eligible VA beneficiaries. VA basically would adopt the Health Care Financing Administration (HCFA) Department of Health and Human Services Medicare Program Fee Schedule for Physician Services. VA payment would be consistent with payment for similar medical services provided by other Government agencies.

Timetable:

Action	Date	FR Cite
NPRM	07/22/97	62 FR 39197
NPRM Comment Period End	09/22/97	
Final Action	04/00/98	

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

Agency Contact: Abby O'Donnell, Program Specialist (10C3), 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-AH663042. INFORMED CONSENT FOR
PATIENT CARE**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 7331; 38 USC 7332; 38 USC 7333**CFR Citation:** 38 CFR 17.32**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	10/00/98	

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

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

RIN: 2900-AH723043. REPORTING HEALTH CARE
PROFESSIONALS TO STATE
LICENSING BOARDS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 99-660; 38 USC 501; PL 99-166, sec 204(b); 38 USC 7401 to 7405**CFR Citation:** 38 CFR 47.1; 38 CFR 47.2; 38 CFR 47.3**Legal Deadline:** None

Abstract: To amend VA's regulations for reporting within health care professionals to State licensing Boards.

Timetable:

Action	Date	FR Cite
NPRM	10/08/97	62 FR 52519
Final Action	04/00/98	

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

Agency Contact: Ruth-Ann Phelps, Ph.D., Health System Specialist (11B), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420

VA

Final Rule Stage

Phone: 202 273-8473

RIN: 2900-AI78

3044. • RECONSIDERATION OF DENIED CLAIMS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1712

CFR Citation: 38 CFR 17.133

Legal Deadline: None

Abstract: This document proposes to amend the Department of Veterans medical regulations by adding a new section 17.133 to set forth reconsideration procedures available if requested by an individual or entity who made a claim for benefits administered by the Veterans Health Administration and who disagrees with the initial decision denying the claim. It is anticipated that these procedures would not only allow for more reflective decisions at the local level but would allow some disputes to be resolve without the need for further appeal to the Board of Veterans Appeals.

Timetable:

Action	Date	FR Cite
NPRM	02/27/98	63 FR 9990
NPRM Comment Period End	04/28/98	
Final Action	10/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Troy Baxley, Program Specialist (10C3), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, Washington, DC 20420
Phone: 202 273-8301

RIN: 2900-AJ03

3045. • MEDICATION PRESCRIBING AUTHORITY

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 553

CFR Citation: 38 CFR 17

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs medical regulations to state the delegations of authority for issuance of prescriptions for medication. The delegations have been determined to be appropriate to ensure that medications are prescribed

only by those who are capable to do so.

Timetable:

Action	Date	FR Cite
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ronald J. Gebhart, Chief Consultant Primary and Ambulatory Care, Veterans Health Administration (112), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8558
Fax: 202 273-9148

RIN: 2900-AJ07

3046. • PROVISION OF DRUGS AND MEDICINES PRESCRIBED BY NON-VA PHYSICIANS

Priority: Info./Admin./Other

Legal Authority: 38 USC 501; 38 USC 1721

CFR Citation: 38 CFR 17.96

Legal Deadline: None

Abstract: This document amends the "Medical" regulations concerning the criteria for provision of drugs and medicines by non-VA physicians for certain veterans. It is our view that the statutory framework inherently requires that the drugs provided be suitable, i.e., FDA-approved, high quality, and best value. In this regard, we have established a list of suitable drugs and medicines in the VA national formulary. Also, we have established a mechanism for allowing the provision of drugs and medicines not listed in the formulary. These changes are needed to ensure that VA provides only those drugs and medicines intended to be provided under the statutory authority. Also, this document makes nonsubstantive changes for the purpose of avoiding unnecessary duplication.

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Roscoe Butler, Program Specialist (10C3), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8302

RIN: 2900-AJ24

VETERANS BENEFITS ADMINISTRATION

3047. 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.

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	12/00/98	

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

3048. 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

VA

Final Rule Stage

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.

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	12/00/98	

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-AF22

3049. 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 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	08/28/97	62 FR 45596
NPRM Comment Period End	10/27/97	
Final Action	05/00/98	

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AF85

3050. 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.

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

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

3051. 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.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/07/96	61 FR 20438
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

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

Phone: 202 272-7210

RIN: 2900-AH05

3052. 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

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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	02/24/97	62 FR 8201
NPRM Comment Period End	04/25/97	
Final Action	06/00/98	

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

3053. 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	11/25/97	62 FR 62736
NPRM Comment Period End	01/26/98	
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AH88

3054. 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	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jack Bisset, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7230

RIN: 2900-AI00

3055. FIDUCIARY ACTIVITIES; MISCELLANEOUS

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.

Legal Authority: 38 USC 501; 38 USC 5502; 38 USC 5503; 38 USC 5504; 38 USC 5711; 38 USC 7105

CFR Citation: 38 CFR 13.2; 38 CFR 13.3; 38 CFR 13.55; 38 CFR 13.56; 38

CFR 13.58; 38 CFR 13.59; 38 CFR 13.61; 38 CFR 13.64; 38 CFR 13.69; 38 CFR 13.74; 38 CFR 13.75; 38 CFR 13.76; 38 CFR 13.100; 38 CFR 13.108; 38 CFR 13.109; ...

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 and provisions placing limitations on compensation payments for certain incompetent veterans where the sunset date has expired. 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	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Douglas L. Bragg, Program Analyst (213A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-6616

Fax: 202 275-5924

RIN: 2900-AI14

3056. 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.

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Timetable:

Action	Date	FR Cite
NPRM	02/24/97	62 FR 8204
NPRM Comment Period End	04/25/97	
Final Action	06/00/98	

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: 202 273-7210

RIN: 2900-AI22

3057. 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	03/28/97	62 FR 14832
NPRM Comment Period End	05/27/97	
Final Action	09/00/98	

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

3058. VETERANS TRAINING: INCREASE IN RATES PAYABLE UNDER 38 USC CHAPTER 31**Priority:** Routine and Frequent**Legal Authority:** 38 USC 3108; 38 USC 3462(e); PL 101-237**CFR Citation:** 38 CFR 21.260(b)**Legal Deadline:** None

Abstract: By statute, the monthly rates of basic subsistence allowance payable

under 38 U.S.C. chapter 31 must be adjusted each fiscal year. In accordance with the statutory formula, the regulations governing rates of basic subsistence allowance payable under 38 U.S.C. chapter 31 for fiscal year 1996 are changed to show a 2.9 increase in these rates.

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

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

Agency Contact: Richard Layton, Veterans Claims Examiner (28), Vocational Rehabilitation & Counseling Svc, Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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Fax: 202 275-5122

RIN: 2900-AI74

3059. AMENDED CRITERIA FOR APPROVAL OF FLIGHT TRAINING COURSES**Priority:** Substantive, Nonsignificant**Legal Authority:** 10 USC 16131(g); 38 USC 101(20); 38 USC 3032; 38 USC 3231; 38 USC 3680(g); 38 USC 3690**CFR Citation:** 38 CFR 21.4200; 38 CFR 21.4263**Legal Deadline:** None

Abstract: This proposal will amend the regulations governing the approval of flight training courses for VA training. It will bring these regulations into agreement with the current two-year operation requirement that VA is required by statute to apply to approval of enrollments. It will also permit approval of courses offered pursuant to 14 CFR part 142.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/98	

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

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AI76

3060. VETERANS TRAINING: TIME LIMITS FOR SUBMITTING CERTIFICATIONS UNDER SERVICE MEMBERS OCCUPATIONAL CONVERSION AND TRAINING ACTS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 102-484, sec 4487**CFR Citation:** 38 CFR 21.4832**Legal Deadline:** None

Abstract: This proposal will place deadlines for submitting the certifications needed for both periodic payments and lump sum deferred incentive payments under the Service Members Occupational Conversion and Training Act (SMOCTA). Since the Act has a sunset provision, all work for which payments will be due will be completed by September 30, 1997. This will allow VA to close the administration of SMOCTA.

Timetable:

Action	Date	FR Cite
NPRM	11/10/97	62 FR 60464
NPRM Comment Period End	01/09/98	
Final Action	07/00/98	

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

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AI85

3061. VETERANS EDUCATION: EFFECTIVE DATE FOR AWARDS OF EDUCATIONAL ASSISTANCE TO VETERANS WHO WERE VOLUNTARILY DISCHARGED**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3018B**CFR Citation:** 38 CFR 21.7131**Legal Deadline:** None

Abstract: A provision of the National Defense Authorization Act for Fiscal Year 1993 allowed certain voluntarily discharged individuals to withdraw

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their election not to participate in the Montgomery GI Bill - Active Duty. Those individuals who were discharged before October 23, 1992, were required to submit \$1,200 to VA. While the statute contains a deadline of October 23, 1993, for withdrawing the election not to participate, there is no deadline for submitting the \$1,200. This rule will make clear that the submission of \$1,200 is a necessary condition for these veterans to establish entitlement to the Montgomery GI Bill - Active Duty. The effective Date of an award of educational assistance will depend on receipt of that \$1,200.

Timetable:

Action	Date	FR Cite
NPRM	12/18/97	62 FR 66320
NPRM Comment Period End	02/17/98	
Final Action	10/00/98	

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

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AI88

3062. DIRECT SERVICE CONNECTION (POST-TRAUMATIC STRESS DISORDER)**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1154(b)**CFR Citation:** 38 CFR 3.304(f)**Legal Deadline:** None

Abstract: VA is amending its regulations concerning the extent of evidence required to establish service connection for post-traumatic stress disorder. The intended effect of this amendment is to implement a decision by the United States Court of Veterans Appeals that current regulations do not adequately reflect the governing statute.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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

Agency Contact: Jack Bisset, Consultant, Regulations Staff (213A),

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

Phone: 202 273-7230

RIN: 2900-AI97

3063. • USE OF FACILITIES TO PROVIDE TRAINING OR WORK EXPERIENCE FOR VETERANS**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 103-446**CFR Citation:** 38 CFR 21.299**Legal Deadline:** None

Abstract: The Veterans Benefits Improvement Act of 1994 authorized the Secretary to use any federally recognized Indian Tribe to provide training or work experience as part or all of a veteran's vocational rehabilitation program without pay or for nominal pay. This change to VA regulations implements this Act.

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

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

Agency Contact: Robert Lawson, Counseling Psychologist (28), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7773

RIN: 2900-AJ01

3064. • ADDITIONAL DISABILITY OR DEATH DUE TO HOSPITAL CARE, MEDICAL OR SURGICAL TREATMENT, EXAMINATION, OR TRAINING AND REHABILITATION SERVICES**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-204, sec 422**CFR Citation:** 38 CFR 3.358; 38 CFR 3.361; 38 CFR 3.362; 38 CFR 3.363; 38 CFR 3.800**Legal Deadline:** None

Abstract: To amend VA regulations to authorize benefits for additional disability or death caused by VA hospital care, medical or surgical treatment, or examination only if VA fault or "an event not reasonably foreseeable" proximately caused the disability or death.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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

Agency Contact: Jack Bisset, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ04

3065. • ELIGIBILITY REPORTING REQUIREMENTS**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 103-271**CFR Citation:** 38 CFR 3.256**Legal Deadline:** None

Abstract: To amend VA regulations to eliminate the requirement that recipients of pension under programs in effect prior to January 1, 1979 complete annual eligibility verification reports.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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

Agency Contact: Jack Bisset, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ09

3066. • VETERANS EDUCATION: INCREASE IN RATES PAYABLE FOR COOPERATIVE TRAINING UNDER THE MONTGOMERY GI BILL - ACTIVE DUTY**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3015**CFR Citation:** 38 CFR 21.7137**Legal Deadline:** None

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Abstract: The Veterans' Benefits Act of 1997 provided a new statutory formula for use in calculating the monthly rates of educational assistance payable under the Montgomery GI Bill-Active Duty to someone pursuing cooperative training. For some veterans the new formula results in a retroactive increase in the monthly rate for cooperative training pursued after October 8, 1996. The regulation governing rates of basic educational assistance payable under the Montgomery GI Bill- active Duty to certain veterans pursuing cooperative training will be changed in accordance with the statutory formula.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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

Agency Contact: William G. Susling, Jr., Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20410

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RIN: 2900-AJ10

3067. • MINIMUM INCOME ANNUITY**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-85, sec 645**CFR Citation:** 38 CFR 3.811**Legal Deadline:** None

Abstract: To amend VA regulations to reflect statutory changes contained in the National Defense Authorization Act for Fiscal Year 1998 that transfers the responsibility for paying a certain gratuitous annuity from the Department of Defense to VA.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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

Agency Contact: John Bisset, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ17

3068. • DEPENDENTS' EDUCATION: ELIGIBILITY AND ENTITLEMENT STANDARDS**Priority:** Substantive, Nonsignificant

Legal Authority: PL 90-631, sec 2; PL 97-377, sec 156; 38 USC 501(a); 38 USC 3482; 38 USC 3501; 38 USC 3511; 38 USC 3512; 38 USC 3532; 38 USC 3533; 38 USC 3541; 38 USC 3562; 38 USC 3681; 38 USC 3686; 38 USC 3687; 38 USC 5304

CFR Citation: 38 CFR 3.503; 38 CFR 3.667; 38 CFR 3.707; 38 CFR 3.807; 38 CFR 21.3020; 38 CFR 21.3021; 38 CFR 21.3023; 38 CFR 21.3040; 38 CFR 21.3041; 38 CFR 21.3042; 38 CFR 21.3043; 38 CFR 21.3044; 38 CFR 21.3045; 30 CFR 21.3046; 30 CFR 21.3047; ...

Legal Deadline: None

Abstract: This document will amend Department of Veterans Affairs education regulations to provide a new interpretation of when the eligibility period ends for children eligible for Survivors' and Dependents' Educational Assistance. It will also make changes to clarify many of these regulations and other changes to make the regulations easier to use.

Timetable:

Action	Date	FR Cite
Final Action	09/00/98	

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

Agency Contact: William G. Susling, Education Advisor (225C), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AJ19

3069. • VETERANS' BENEFITS ACT OF 1997**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-114, sec 404

CFR Citation: 38 CFR 3.29; 38 CFR 3.31; 38 CFR 3.114; 38 CFR 3.216; 38 CFR 3.814

Legal Deadline: None

Abstract: To amend VA regulations concerning the monetary allowance for children suffering from Spina Bifida who are children of Vietnam veterans

to implement statutory changes contained in the Veterans' Benefits Act of 1997.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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

Agency Contact: Jack Bisset, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ25

OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT**3070. VAAR: COMMERCIAL ITEMS****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 801; 48 CFR 810; 48 CFR 811; 48 CFR 812; 48 CFR 836; 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 Law 102-355 and with FAR regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/25/97	62 FR 44932
NPRM Comment Period End	10/24/97	
Final Action	04/00/98	

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

Procurement: This is a procurement-related action for which there is no

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statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Donald E. Kaliher, Senior Procurement Analyst (95A), Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AI05

3071. DEFINITIONS AND TERMS FOR PART 802

Priority: Routine and Frequent

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

CFR Citation: 48 CFR ch 8

Legal Deadline: None

Abstract: This document will update the definition of a Head of the Contracting Activity in 48 CFR part 802.

Timetable:

Action	Date	FR Cite
Final Action	04/00/98	

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.

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RIN: 2900-AI49

3072. VA ACQUISITION REGULATIONS: TITLE UPDATE

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR ch 8

Legal Deadline: None

Abstract: This change will update titles and mail routing symbols.

Timetable:

Action	Date	FR Cite
Final Action	06/00/98	

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), Acquisition and Material Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AI62

3073. VA ACQUISITION REGULATIONS PART 801, LEGAL/TECHNICAL REVIEW REQUIREMENTS

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 801.602-70; 48 CFR 801.602-71; 48 CFR 801.602-72; 48 CFR 801.602-73; 48 CFR 801.602-74; 48 CFR 801.602-75; 48 CFR 815.805-4; 48 CFR 816.102(a); 48 CFR 817.102-1; 48 CFR 817.402; 48 CFR 819.801; 48 CFR 842.000; 48 CFR 842.102; 48 CFR 842.202; 48 CFR 842.1203; ...

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) is amending the Veterans Affairs Acquisition Regulations (VAAR) to remove requirements from the Code of Federal Regulations that have been determined to be VA internal procedures that do not affect the public.

Timetable:

Action	Date	FR Cite
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Don Kaliher, Acquisition Policy Team (95A), Ofc of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

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RIN: 2900-AI96

3074. • SEALED BIDDING AND COMPETITIVE PROPOSALS

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; 48 CFR 806

Legal Deadline: None

Abstract: The Department of Veterans Affairs is amending its Acquisition Regulations. Section 806.401 is amended to remove material which conflicts with the Federal Acquisition Regulation.

Timetable:

Action	Date	FR Cite
NPRM	03/11/98	63 FR 11865
NPRM Comment Period End	05/11/98	
Final Action	10/00/98	

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.

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RIN: 2900-AI99

BOARD OF VETERANS APPEALS

3075. RULES OF PRACTICE: CONTINUATION OF REPRESENTATION FOLLOWING DEATH OF A CLAIMANT OR APPELLANT

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 5902 to 5904

CFR Citation: 38 CFR 20.611

VA

Final Rule Stage

Legal Deadline: None

Abstract: This change proposes to amend to eliminate a rule which automatically assigns a deceased appellant's representative to the appellant's survivor. This change is necessary because of a court ruling which eliminates most of the need for such a provision.

Timetable:

Action	Date	FR Cite
NPRM	10/23/97	62 FR 55200
NPRM Comment Period End	12/22/97	
Final Action	08/00/98	

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

Agency Contact: Steven L. Keller, Chief Counsel, Department of Veterans Affairs, Board of Veterans' Appeals, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 565-5978

RIN: 2900-AI87

3076. BOARD OF VETERANS APPEALS—RULES OF PRACTICE—ATTORNEY FEE MATTERS**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 5902; 38 USC 5904; 38 USC 5905**CFR Citation:** 38 CFR 20.3; 38 CFR 20.609; 38 CFR 20.610**Legal Deadline:** None

Abstract: The Board of Veterans Appeals is proposing to amend its rules of practice to end the practice of paying attorney fees from past-due benefits, establish safeguards in case of "disinterested third-party" payees who are individuals, and simplify certain notice procedures. These changes are necessary to permit VA to focus on

activities more directly benefiting veterans and their families, i.e., deciding claims and coordinating benefit payments to veterans and their families, and to clarify the situations in which third parties may pay a claimants' legal fees.

Timetable:

Action	Date	FR Cite
NPRM	12/09/97	62 FR 64770
Final Action	04/00/98	

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-AI98

DEPARTMENT OF VETERANS AFFAIRS (VA)

Long-Term Actions

VETERANS HEALTH ADMINISTRATION**3077. ● PROTECTION OF HUMAN SUBJECTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 38 USC 210(c)(1); 38 USC 4131; 38 USC 4134; 42 USC 300v-1(b)**CFR Citation:** 38 CFR 16**Legal Deadline:** None

Abstract: The Federal Policy (Common Rule) for the Protection of Human Subjects was published in the Federal Register on June 18, 1991 (56 FR 28003) and is employed by 17 executive branch agencies. This Federal Policy requires adherence to certain requirements by Federal agencies or institutions receiving Federal support for research activities involving human subjects. The Federal Policy has three cornerstones: review of any research involving human subjects by an impartial institutional review board (IRB); informed consent must be obtained from all research subjects; and formal, written assurance of institutional compliance with the Policy.

Timetable: Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None

Agency Contact: David D. Thomas, Director of Operations for Research and Development (12B), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8284
Fax: 202 273-6526

RIN: 2900-AJ08

VETERANS BENEFITS ADMINISTRATION**3078. 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 End	10/05/90	
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: Carl Wasson
Phone: 202 273-7344

RIN: 2900-AE20

3079. 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: Carl Wasson
Phone: 202 273-7344

RIN: 2900-AE60

VA

Long-Term Actions

3080. 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:** Carl Wasson
Phone: 202 273-7344**RIN:** 2900-AG20**3081. DELEGATION OF AUTHORITY TO PROVIDE RELIEF ON ACCOUNT OF ADMINISTRATIVE ERROR****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 2.7**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Paul Trowbridge
Phone: 202 273-7210**RIN:** 2900-AH19**3082. MEDICAL EVIDENCE THAT A DISABILITY HAS IMPROVED****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.344**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Larry Freiheit
Phone: 202 273-7252**RIN:** 2900-AH82**3083. 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.**CFR Citation:** 38 CFR 3.260**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Paul Trowbridge
Phone: 202 273-7218**RIN:** 2900-AH94**3084. CHILD CUSTODY****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.24(b); 38 CFR 3.24(c); 38 CFR 3.57(d)**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Paul Trowbridge
Phone: 202 273-7210**RIN:** 2900-AI10**3085. CLAIMS BASED ON AGGRAVATION OF NONSERVICE-CONNECTED DISABILITY****Priority:** Other Significant**CFR Citation:** 38 CFR 3.310**Timetable:**

Action	Date	FR Cite
NPRM	06/04/97	62 FR 30547
NPRM Comment Period End	08/04/97	
Next Action	Undetermined	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Judy Veres
Phone: 202 273-7240**RIN:** 2900-AI42**3086. DISEASES SUBJECT TO PRESUMPTIVE SERVICE CONNECTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.309(a)**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Bradley Flohr
Phone: 202 273-7241**RIN:** 2900-AI81**3087. LOAN GUARANTY: REQUIREMENTS FOR INTEREST RATE REDUCTION REFINANCING LOANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 36.4306a**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Judith Caden
Phone: 202 273-7368**RIN:** 2900-AI92**3088. • ADDITIONAL REQUIREMENTS FOR INTEREST RATE REDUCTION REFINANCING LOANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 36.4306a**Legal Deadline:** None**Abstract:** Interest rate reduction refinancing loans assist veterans by allowing them to refinance an outstanding VA guaranteed loan that bears interest at a high rate with a new loan at a low rate. The law allows the veterans to do so without having to pay any expenses out of pocket. The revised regulations will amend this program to guard against abuses of the program and to protect the integrity of the program and to protect veterans.**Timetable:** Next Action Undetermined**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

RIN: 2900-AJ02**BOARD OF VETERANS APPEALS****3089. 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); ...

VA

Long-Term Actions

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**3090. RULES OF PRACTICE;
HEARINGS****Priority:** Substantive, Nonsignificant**CFR Citation:** 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**Timetable:** Next Action Undetermined**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Steven L. Keller
Phone: 202 565-5978**RIN:** 2900-AG07**3091. RULES OF PRACTICE: MEDICAL
OPINIONS; APPEAL PROCESSING
AND SUBMISSION OF ADDITIONAL
EVIDENCE****Priority:** Other Significant**CFR Citation:** 38 CFR 19.36; 38 CFR 20.800; 38 CFR 20.801; 38 CFR 20.802; 38 CFR 20.901; 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**3092. RULES OF PRACTICE: ORAL
ARGUMENT IN FILING APPELLATE
BRIEFS****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 20.700; 38 CFR 20.718**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Steven L. Keller
Phone: 202 565-5978**RIN:** 2900-AI18**OFFICE OF EQUAL EMPLOYMENT
OPPORTUNITY****3093. 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:** Ellis Jones Hodges
Phone: 202 273-7632
Fax: 202 273-6737**RIN:** 2900-AB51**3094. • NONDISCRIMINATION ON THE
BASIS OF SEX IN EDUCATION
PROGRAMS AND ACTIVITIES
RECEIVING OR BENEFITTING FROM
FEDERAL FINANCIAL ASSISTANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2000d**CFR Citation:** 38 CFR 23**Legal Deadline:** None**Abstract:** In response to President Clinton's request to strengthen enforcement of Title IX of the Education Amendments of 1972, the Department of Justice (DOJ) has

prepared a draft notice of proposed rulemaking of a common rule for implementing Title IX of the Education Amendments of 1972. DOJ prepared the text for VA's adoption of this rule, which will become a new part 23 of title 38 CFR, "Nondiscrimination in Federally Assisted Programs of the Department of Veterans Affairs - Effectuation of Title VI of the Civil Rights Act of 1964." The amendment to 38 CFR will ensure VA's compliance with the requirement to publish its regulations to prohibit discrimination based on sex in education programs or activities that receive Federal financial assistance.

Timetable: Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Ellis Jones Hodges,
Director, Affirmative Employment
Service (06A), Department of Veterans
Affairs, 810 Vermont Avenue NW.,
Washington, DC 20420
Phone: 202 273-7632
Fax: 202 273-6737**RIN:** 2900-AJ11**OFFICE OF THE ASSISTANT
SECRETARY FOR ACQUISITION AND
FACILITIES****3095. 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	

Next Action Undetermined

Small Entities Affected: Undetermined**Government Levels Affected:** None**Agency Contact:** Renee Bruce
Phone: 410 605-7388
Fax: 410 605-7900**RIN:** 2900-AD48

DEPARTMENT OF VETERANS AFFAIRS (VA)

Completed Actions

3096. TREATMENT OF RESEARCH-RELATED INJURIES TO HUMAN SUBJECTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	03/06/98	63 FR 11123
Final Action Effective	04/06/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** David D. Thomas
Phone: 202 273-8284
Fax: 202 273-6526**RIN:** 2900-AH68**3097. SENSORI-NEURAL AIDS ELIGIBILITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	12/09/97	62 FR 64722

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Frederick Downs, Jr.
Phone: 202 273-8515
Fax: 202 273-9110**RIN:** 2900-AI60**3098. MEDICAL****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 17.30; 38 CFR 17.35; 38 CFR 17.43; 38 CFR 17.46; 38 CFR 17.47; 38 CFR 17.49; 38 CFR 17.50; 38 CFR 17.52; 38 CFR 17.53; 38 CFR 17.56; 38 CFR 17.65; 38 CFR 17.66; 38 CFR 17.90; 38 CFR 17.91**Completed:**

Reason	Date	FR Cite
Withdrawn - Incorporated into 2900-AJ18	03/03/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Roscoe G. Butler
Phone: 202 273-8302**RIN:** 2900-AI80**3099. GRANTS TO STATES FOR CONSTRUCTION OR ACQUISITION OF STATE HOME FACILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 17.212**Completed:**

Reason	Date	FR Cite
Final Action	11/13/97	62 FR 60783

Small Entities Affected: None**Government Levels Affected:** State, Local**Agency Contact:** Kathleen Greve
Phone: 202 273-8534**RIN:** 2900-AI84**3100. SCHEDULE FOR RATING DISABILITIES—THE CARDIOVASCULAR 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 4.100; 38 CFR 4.101; 38 CFR 4.102; 38 CFR 4.103; 38 CFR 4.104**Completed:**

Reason	Date	FR Cite
Final Action	12/11/97	62 FR 65207
Final Action Effective	01/12/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Caroll McBrine, M.D.
Phone: 202 273-7210**RIN:** 2900-AE40**3101. 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**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)**Completed:**

Reason	Date	FR Cite
Final Action	03/12/98	63 FR 12001
Final Action Effective	04/13/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Judith Caden
Phone: 202 273-7368**RIN:** 2900-AH23**3102. LOAN GUARANTY: ELECTRONIC PAYMENT OF FUNDING FEE****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 36.4312**Completed:**

Reason	Date	FR Cite
Final Action	11/28/97	62 FR 63277
Final Action Effective	01/01/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Judith Caden
Phone: 202 273-7368**RIN:** 2900-AH73**3103. VETERANS EDUCATION: APPROVAL OF CORRESPONDENCE COURSES****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.4256; 38 CFR 21.4279**Completed:**

Reason	Date	FR Cite
Final Action	12/02/97	62 FR 63848
Final Action Effective	01/02/98	

Small Entities Affected: Businesses**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net**RIN:** 2900-AH91**3104. LOAN GUARANTY: CREDIT STANDARDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 36.4337**Completed:**

Reason	Date	FR Cite
Final Action	10/17/97	62 FR 53963
Final Action Effective	11/17/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Judith Caden
Phone: 202 273-7368
Fax: 202 275-3523**RIN:** 2900-AI16

VA

Completed Actions

3105. VETERANS EDUCATION: APPROVAL OF INDEPENDENT STUDY**Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.4267**Completed:**

Reason	Date	FR Cite
Final Action	07/28/97	62 FR 40279
Final Action Effective	07/28/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI34**3106. SURVIVORS AND DEPENDENTS EDUCATION: EXTENSION OF ELIGIBILITY PERIOD****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.3021; 38 CFR 21.3046; 38 CFR 21.3047**Completed:**

Reason	Date	FR Cite
Final Action	10/03/97	62 FR 51783
Final Action Effective	10/03/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI45**3107. VETERANS EDUCATION: REDUCTION IN REQUIRED REPORTS****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 21.7154; 38 CFR 21.7156**Completed:**

Reason	Date	FR Cite
Final Action	03/24/98	63 FR 14037
Final Action Effective	04/23/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI58**3108. MISCELLANEOUS EDUCATIONAL REVISIONS****Priority:** Info./Admin./Other**CFR Citation:** 38 CFR 21.3041; 38 CFR 21.3045; 38 CFR 21.4009; 38 CFR 21.4200; 38 CFR 21.4201; 38 CFR 21.4233; 38 CFR 21.4250; 38 CFR 21.4270; 38 CFR 21.5270; 38 CFR 21.5901; 38 CFR 21.7020; 38 CFR 21.7140; 38 CFR 21.7144; 38 CFR 21.7170**Completed:**

Reason	Date	FR Cite
Final Action	10/28/97	62 FR 55759
Final Action Effective	10/28/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI69**3109. SERVICEMEN'S AND VETERANS' GROUP LIFE INSURANCE****Priority:** Info./Admin./Other**CFR Citation:** 38 CFR 1.506; 38 CFR 3.261; 38 CFR 9.1; 38 CFR 9.4; 38 CFR 9.6; 38 CFR 9.7; 38 CFR 9.11; 38 CFR 9.12**Completed:**

Reason	Date	FR Cite
Final Action	07/03/97	62 FR 35969

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Jeanne Derrick (290B)

Phone: 215 842-2000

Fax: 215 381-3504

RIN: 2900-AI73**3110. COMPENSATION FOR CERTAIN UNDIAGNOSED ILLNESSES****Priority:** Other Significant**CFR Citation:** 38 CFR 3.317**Completed:**

Reason	Date	FR Cite
Final Action	03/06/98	63 FR 11122
Final Action Effective	03/06/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Jack Bisset

Phone: 202 273-7230

RIN: 2900-AI77**3111. VETERANS AND RESERVISTS EDUCATION: ADDITIONAL EDUCATIONAL ASSISTANCE WHILE SERVING IN THE SELECTED RESERVES****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.7131; 38 CFR 21.7135; 38 CFR 21.7136; 38 CFR 21.7137; 38 CFR 21.7139; 38 CFR 21.7631; 38 CFR 21.7635; 38 CFR 21.7636; 38 CFR 21.7639**Completed:**

Reason	Date	FR Cite
Final Action	10/27/97	62 FR 55518
Final Action Effective	10/27/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AI79**3112. SURVIVOR BENEFIT PLAN MINIMUM INCOME ANNUITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.811**Completed:**

Reason	Date	FR Cite
Final Action	01/06/98	63 FR 412
Final Action Effective	01/06/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Jack Bisset

Phone: 202 273-7230

RIN: 2900-AI83**3113. INCREASE IN RATES PAYABLE UNDER THE MONTGOMERY GI BILL—SELECTED RESERVE****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.7636

VA

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	12/18/97	62 FR 66277
Final Action Effective	12/18/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William G. Susling, Jr.
Phone: 202 273-7187
Fax: 202 273-2636
Email: vaedusvc@patriot.net

RIN: 2900-AI89

3114. VETERAN EDUCATION: RATE INCREASE FOR 1997-1998 SCHOOL YEAR IN MONTGOMERY GI BILL—ACTIVE DUTY

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 21.7136; 38 CFR 21.7137

Completed:

Reason	Date	FR Cite
Final Action	10/30/97	62 FR 58654
Final Action Effective	10/30/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William G. Susling, Jr.
Phone: 202 273-7187
Fax: 202 273-2636
Email: vaedusvc@patriot.net

RIN: 2900-AI90

3115. ACTIVE MILITARY SERVICE CERTIFIED UNDER SECTION 401 OF PUBLIC LAW 95-202

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.7

Completed:

Reason	Date	FR Cite
Final Action	01/06/98	63 FR 413
Final Action Effective	06/02/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jack Bisset
Phone: 202 273-7230

RIN: 2900-AI91

3116. 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	12/03/97	62 FR 63847
Final Action Effective	12/03/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William G. Susling, Jr.
Phone: 202 273-7187
Fax: 202 275-2636
Email: vaedusvc@patriot.net

RIN: 2900-AI94

3117. MISCELLANEOUS CHANGES TO VA ACQUISITION REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR ch 8

Completed:

Reason	Date	FR Cite
Withdrawn - To be considered at a later date.	02/13/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ramona Jones
Phone: 202 273-8818
Fax: 202 273-9302
Email: jones@mail.va.gov

RIN: 2900-AI28

3118. DEPARTMENT PROTESTS

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: 48 CFR 833; 48 CFR 852

Completed:

Reason	Date	FR Cite
Final Action	03/31/98	63 FR 15318
Final Action Effective	04/30/98	

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
Phone: 202 273-8819
Fax: 202 273-9302
Email: donald.kaliher@mail.va.gov
RIN: 2900-AI51

3119. APPEALS REGULATIONS: REMAND FOR FURTHER DEVELOPMENT

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 19.9

Completed:

Reason	Date	FR Cite
Final Action	10/08/97	62 FR 52502

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 2900-AI50

3120. RULES OF PRACTICE: DEATH OF APPELLANT DURING PENDENCY OF APPEAL

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 20.611; 38 CFR 20.1302

Completed:

Reason	Date	FR Cite
Final Action	10/23/97	62 FR 55169

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 2900-AI86

3121. DISINTERMENTS IN NATIONAL CEMETERIES

Priority: Other Significant

CFR Citation: 38 CFR 1.621

Completed:

Reason	Date	FR Cite
Final Action	10/03/97	62 FR 51782
Final Action Effective	11/03/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Ken Greenberg
Phone: 202 273-5179
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RIN: 2900-AI21

VA

Completed Actions

3122. STANDARDS FOR COLLECTION, COMPROMISE, 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.**CFR Citation:** 38 CFR 1.900 to 1.955; 38 CFR 2.6(c); 4 CFR 101 to 105**Completed:**

Reason	Date	FR Cite
Withdrawn - Will be resubmitted later.	02/12/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Peter Mulhern
Phone: 202 273-5570**RIN:** 2900-AI27**3123. • DELEGATIONS OF AUTHORITY—DECISIONMAKING REGARDING DISCRIMINATION****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 302; 38 USC 501; 38 USC 512; 44 USC 3702; PL 105-114, sec 102**CFR Citation:** 38 CFR 2.6(e)(6)**Legal Deadline:** Final, Statutory, February 19, 1998.**Abstract:** This document amends regulations of the Department of Veterans Affairs (VA) by revising the delegations of authority concerning decisionmaking regarding complaints alleging discrimination on grounds of race, color, religion, sex, national origin, age, disability or reprisal. The delegations of authority are set forth in the regulatory text portion of this document and are consistent with the provisions of the "Veterans' Benefits Act of 1997" (Public Law No. 105-114).**Timetable:**

Action	Date	FR Cite
Final Action	03/06/98	63 FR 11121
Final Action Effective	03/06/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** John W. Klein,
Assistant General Counsel (024), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-6380**RIN:** 2900-AJ14**3124. • ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS****Priority:** Info./Admin./Other**Legal Authority:** 38 USC 501; 38 USC 1712**CFR Citation:** 38 CFR 43**Legal Deadline:** None**Abstract:** This document amends the agency's existing codifications of the grants management common rule, "Uniform Administrative Requirements for Grants and Co-operative Agreements with State and Local Governments," and OMB Circular A110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations."**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/29/97	62 FR 45943
Interim Final Rule Effective	09/29/97	
Interim Final Rule Comment Period End	10/28/97	
No Further Action Required	10/28/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Nancy Tackett,
Executive Assistant (008), Ofc. of Assistant Secy for Policy & Planning, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5300**RIN:** 2900-AJ00

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