



Monday
April 26, 1999

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 1999. 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.

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

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3011	Exemption from Pharmacy Copay	2900-AJ12
3012	Definition of Adjunct Conditions for Reimbursement Purposes	2900-AJ20
3013	Clothing Allowance	2900-AJ21
3014	Provision of Aids to the Blind	2900-AJ22
3015	Priorities for State Home Grants for Construction, Acquisition, or Renovation	2900-AJ43
3016	Enrollment—Provision of Hospital and Outpatient Care to Veterans—Priority Category 7	2900-AJ71
3017	Per Diem for Adult Day Health Care of Veterans in State Homes	2900-AJ74
3018	Policy Regarding Participation in National Practitioner Data Bank	2900-AJ76
3019	Aids for the Blind	2900-AJ83
3020	Schedule for Rating Disabilities—The Orthopedic System	2900-AE91
3021	Schedule for Rating Disabilities—Neurological Conditions and Convulsive Disorders	2900-AF23
3022	Schedule for Rating Disabilities—Digestive System	2900-AF24
3023	Revised Definition of Net Value and Revised Criteria for Pre-Foreclosure Debt Waivers	2900-AG20
3024	Individual Unemployability	2900-AH21
3025	Evidence on File at Date of Death	2900-AH42
3026	Vision	2900-AH43
3027	Ankylosis and Limitation of Motion of Digits of the Hands	2900-AI44
3028	New Criteria for Approval of Courses for Educational Assistance Programs	2900-AI67
3029	Veterans Education: Reporting and Recordkeeping Requirements at Flight Schools	2900-AJ23
3030	Dependents Education: Verification of Pursuit and Continued Enrollment	2900-AJ41
3031	Well Grounded Claims/Duty to Assist	2900-AJ44
3032	Schedule for Rating Disabilities: Disabilities of the Liver	2900-AJ46
3033	Revised Criteria for Monetary Allowance for a Child Born With Spina Bifida Who Is a Child of a Vietnam Veteran ..	2900-AJ51
3034	Certification Evidence for Proof of Service	2900-AJ55
3035	Schedule for Rating Disability: The Spine	2900-AJ60
3036	Education Provisions of the Veterans Programs Enhancement Act of 1998	2900-AJ68
3037	Veterans Education: Montgomery GI Bill—Active Duty—Administrative Error	2900-AJ70
3038	National Service Life Insurance	2900-AJ78
3039	Evidence of Permanent and Total Disability	2900-AJ82
3040	Purchase Card/Electronic Data Interchange	2900-AI41
3041	Contractor Qualifications	2900-AJ05
3042	VA Acquisition Regulations: Simplified Acquisition Procedures	2900-AJ16
3043	VA Acquisition Regulation Part 819, Small Business and Small Disadvantaged Business Concerns	2900-AJ36
3044	Universal Product Numbers (UPNs)	2900-AJ45
3045	Construction and Architect-Engineer Contracts	2900-AJ56
3046	Application of Labor Laws to Government Acquisitions	2900-AJ81
3047	Board of Veterans Appeals: Rules of Practice—Subpoenas	2900-AJ58
3048	Notice in Simultaneously Contested Claims	2900-AJ73
3049	Headstone and Marker Inscription Policy	2900-AH45
3050	State Cemetery Grants: Aid to States for Establishment, Expansion, and Improvement of Veterans Cemeteries	2900-AH46
3051	Eligibility for Burial of Dependent Adult Children of Eligible Veterans	2900-AI95
3052	Use of the Secretary's Authority as Provided by 38 USC 2402(6)	2900-AJ48

VA

Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3053	Outer Burial Receptacles	2900-AJ49
3054	Interment or Memorialization in VA National Cemeteries and Certain State Cemeteries—Federal or State Capital Crime	2900-AJ77
3055	Entities Authorized To Receive and Distribute Department of Defense Surplus Food	2900-AI82
3056	Audits of States, Local Governments, and Nonprofit Organizations; Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2900-AJ62

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3057	Per Diem for Nursing Home Care of Veterans in State Homes	2900-AE87
3058	Reconsideration of Denied Claims	2900-AJ03
3059	Medication Prescribing Authority	2900-AJ07
3060	Enrollment and Provisions of Hospital Care and Medical Services	2900-AJ18
3061	Provision of Drugs and Medicines Prescribed by Non-VA Physicians	2900-AJ24
3062	Advanced Health Care Planning	2900-AJ28
3063	Medical Care Collection or Recovery	2900-AJ30
3064	Provision of Drugs and Medicines to Certain Veterans in State Nursing Homes	2900-AJ34
3065	Schedule for Rating Disabilities—The Skin	2900-AF00
3066	Schedule for Rating Disabilities—Diseases of the Ear and Other Sense Organs	2900-AF22
3067	Amendments to Training and Rehabilitation Programs	2900-AG00
3068	Fibromyalgia	2900-AH05
3069	Service Connection for Dental Conditions for Treatment Purposes	2900-AH41
3070	Veterans Education: Effective Date for the Award of Educational Assistance	2900-AH76
3071	Intervertebral Disc Syndrome	2900-AI22
3072	Veterans Education: Advanced Payments & Lump Sum Payments for Educational Assistance	2900-AI31
3073	Claims Based on Aggravation of Nonservice-Connected Disability	2900-AI42
3074	New Eligibility Criteria for the Montgomery GI Bill—Active Duty, Other Miscellaneous Issues	2900-AI63
3075	Reservist Education: Monthly Verification of Enrollment and Other Reports	2900-AI68
3076	Veterans Training: Increase in Rates Payable Under 38 USC Chapter 31	2900-AI74
3077	Amended Criteria for Approval of Flight Training Courses	2900-AI76
3078	Loan Guaranty: Requirements for Interest Rate Reduction Refinancing Loans	2900-AI92
3079	Direct Service Connection (Post-Traumatic Stress Disorder)	2900-AI97
3080	Use of Facilities To Provide Training or Work Experience for Veterans	2900-AJ01
3081	Eligibility Reporting Requirements	2900-AJ09
3082	Dependents Education: Eligibility and Entitlement Standards	2900-AJ19
3083	Veterans' Benefits Act of 1997	2900-AJ25
3084	Cash Value for National Service Life Insurance (NSLI) Term Capped Policies	2900-AJ35
3085	Veterans and Dependents Education: Increase in Educational Assistance Rates	2900-AJ37
3086	Reservist Education: Increase in Educational Rates	2900-AJ38
3087	Veterans Education: Effective Date for Discontinuing Educational Assistance	2900-AJ39
3088	Veterans Education: Increased Allowances for the Educational Assistance Test Program	2900-AJ40
3089	Pension Benefits	2900-AJ50
3090	Exclusions from Income	2900-AJ52
3091	Reinstatement of Benefits Eligibility Based Upon Terminated Marital Relationships	2900-AJ53
3092	Child	2900-AJ54
3093	Claims Based on Effect of Tobacco Products	2900-AJ59
3094	Returned and Canceled Checks	2900-AJ61
3095	Surviving Spouses Benefit for Month of Veteran's Death	2900-AJ64
3096	DIC Benefits for Survivors of Certain Veterans Rated Totally Disabled at Time of Death	2900-AJ65
3097	Modified Eligibility Criteria for the Montgomery GI Bill—Active Duty	2900-AJ69
3098	Servicemembers' Group Life Insurance and Veterans' Group Life Insurance Accelerated Benefits Option	2900-AJ80
3099	Department of Veterans Affairs Acquisition Regulation— Simplified Acquisition Procedures for Health Care Resources	2900-AI71
3100	VA Acquisition Regulations Part 801, Legal/Technical Review Requirements	2900-AI96
3101	Sealed Bidding and Competitive Proposals	2900-AI99

VA

Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3102	VAAR Part 803—Improper Business Practices and Personal Conflict of Interest, and Part 852—Solicitation Provisions in Contract Clauses	2900-AJ06
3103	VA Acquisition Regulations; Part 802, Definition of “Head of Contracting Activity”	2900-AJ26
3104	VA Acquisition Regulation: Taxes	2900-AJ32
3105	VA Acquisition Regulations: Part 801, VA Contracting Officer Certification Program	2900-AJ33
3106	VA Acquisition Regulations: Bonds and Insurance	2900-AJ47
3107	Board of Veterans Appeals—Rules of Practice—Attorney Fee Matters	2900-AI98
3108	Appeals Regulations, Rules of Practice: Title Change	2900-AJ57
3109	Delegations of Authority—Appeals Regulations and Rules of Practice	2900-AJ66
3110	Case Docketing—Appeals Regulations and Rules of Practice	2900-AJ72
3111	Notification of Representatives in Connection with Motions for Revision of Decisions on Grounds of Clear and Unmistakable Error	2900-AJ75
3112	National Cemetery Administration Title Changes	2900-AJ79
3113	Delegation of Authority—Decisionmaking Regarding Discrimination	2900-AJ63
3114	Release of Information from Department of Veterans Affairs Records	2900-AH98
3115	Recognition of Organizations and Accreditation of Representatives	2900-AI93
3116	Delegations of Authority; Federal Tort Claims	2900-AJ31

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3117	Protection of Human Subjects	2900-AJ08
3118	Loan Guaranty: Title Evidence Requirements and Occupancy Requirements for Conveyance of Properties to VA ..	2900-AE20
3119	Acceptance of Partial Payments; Indemnification of Default	2900-AE60
3120	Medical Evidence That a Disability Has Improved	2900-AH82
3121	Child Custody	2900-AI10
3122	Revision of Decision	2900-AI64
3123	Additional Requirements for Interest Rate Reduction Refinancing Loans	2900-AJ02
3124	Appeals Regulations; Rules of Practice	2900-AE78
3125	Rules of Practice; Hearings	2900-AG07
3126	Rules of Practice: Medical Opinions; Appeal Processing and Submission of Additional Evidence	2900-AG90
3127	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting From Federal Financial Assistance	2900-AJ11
3128	Operation of Child Care Centers at VA Facilities	2900-AD48

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3129	CHAMPVA Regulations	2900-AE64
3130	Delegation of Authority To Provide Relief on Account of Administrative Error	2900-AH19
3131	Election of Education Benefits	2900-AH88
3132	Computation of Income	2900-AH94
3133	Fiduciary Activities; Miscellaneous	2900-AI14
3134	Diseases Subject to Presumptive Service Connection	2900-AI81
3135	Additional Disability or Death Due to Hospital Care, Medical or Surgical Treatment, Examination, or Training and Rehabilitation Services	2900-AJ04
3136	Minimum Income Annuity	2900-AJ17
3137	Dependents Education: Increase in Educational Assistance Rates	2900-AJ42
3138	Transportation: VAAR Part 847	2900-AI56
3139	VA Acquisition Regulation: Title and Reference Updates	2900-AJ29
3140	Board of Veterans' Appeals: Rules of Practice—Revision of Decisions on Grounds of Clear and Unmistakable Error	2900-AJ15

VA

Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3141	Nondiscrimination on the Basis of Sex Under Federally Assisted Education Programs and Activities	2900-AB51

DEPARTMENT OF VETERANS AFFAIRS (VA)

Proposed Rule Stage

VETERANS HEALTH ADMINISTRATION

3011. EXEMPTION FROM PHARMACY COPAY

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1521; 38 USC 1721

CFR Citation: 38 CFR 17.96

Legal Deadline: None

Abstract: This action clearly establishes 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	10/00/99	

Regulatory Flexibility Analysis

Required: No

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

3012. 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	10/00/99	

Regulatory Flexibility Analysis

Required: No

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

3013. CLOTHING ALLOWANCE

Priority: Info./Admin./Other

Legal Authority: 38 USC 1162

CFR Citation: 38 CFR 3.810

Legal Deadline: None

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	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Frederick Downs, Jr., 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

3014. 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	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Frederick Downs, Jr., 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

3015. PRIORITIES FOR STATE HOME GRANTS FOR CONSTRUCTION, ACQUISITION, OR RENOVATION

Priority: Other Significant

Legal Authority: 38 USC 501; 38 USC 1721

CFR Citation: 38 CFR 17.216; 38 CFR 17.222

VA

Proposed Rule Stage

Legal Deadline: None

Abstract: This rule proposes to amend the Department of Veterans Affairs regulations concerning State homes. VA provides funds to States for projects for the construction, acquisition, or renovation of State veterans nursing homes and State veterans domiciliaries. VA also provides funds for projects for renovating existing State veterans hospital facilities provided that the renovations would not expand a State's capacity to furnish hospital care. This notice of proposed rulemaking requests comments regarding what regulations should be established with respect to the priorities for awarding State home grants for construction, acquisition, or renovation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State

Agency Contact: Kathleen Greve, Chief, State Home Construction Program (114), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8536
Fax: 202 273-9131
Email: kathleen.greve@hg.med.va.gov

RIN: 2900-AJ43

3016. • ENROLLMENT—PROVISION OF HOSPITAL AND OUTPATIENT CARE TO VETERANS—PRIORITY CATEGORY 7

Priority: Substantive, Nonsignificant**Legal Authority:** 38 USC 101; 38 USC 501; 38 USC 1701; 38 USC 1705; 38 USC 1710; 38 USC 1721; 38 USC 1722**CFR Citation:** 38 CFR 17.36**Legal Deadline:** None

Abstract: This document proposes to amend the subpriorities for priority category seven of a final rule implementing a national enrollment system to manage the delivery of health care services that allows for certain enrollees to retain their enrollee status based on enrollment prior to a specified date. VA believes that it may be necessary to enroll only portions of the current subpriorities in order to maximize the provision of health care within budgetary constraints. The

proposed change would provide an equitable system for further prioritizing the enrollment of priority category seven veterans.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Roscoe Butler, Health Administration Service (10C3), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8302

RIN: 2900-AJ71

3017. • PER DIEM FOR ADULT DAY HEALTH CARE OF VETERANS IN STATE HOMES

Priority: Substantive, Nonsignificant**Legal Authority:** 38 USC 1741; 38 USC 1742; 38 USC 1743**CFR Citation:** 38 CFR 51; 38 CFR 58**Legal Deadline:** None

Abstract: This document proposes to establish regulations setting forth a mechanism for paying per diem to State homes providing adult day health care to eligible veterans. The intended effect of the proposed regulations is to ensure that veterans receive high quality care in State homes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: L. Nan Stout, Chief, State Home Per Diem Program (114), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8538
Email: nan.stout@mail.va.gov

RIN: 2900-AJ74

3018. • POLICY REGARDING PARTICIPATION IN NATIONAL PRACTITIONER DATA BANK

Priority: Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 1110 to 11152**CFR Citation:** 38 CFR 46**Legal Deadline:** None

Abstract: The Department of Veterans Affairs proposes to amend its regulations concerning the reporting of physicians, dentists, and other health care practitioners to the National Practitioner Data Bank (NPDB). These regulations concern malpractice payment reporting and clinical privileges actions reporting. These amendments appear to be necessary to make the reporting process more efficient and fair and to ensure that reporting is accomplished in accordance with the statutory framework.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Ruth-Ann Phelps, Health Science Specialist, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8473

RIN: 2900-AJ76

3019. • AIDS FOR THE BLIND

Priority: Substantive, Nonsignificant**Legal Authority:** 38 USC 1701; 38 USC 1710; 38 USC 1714(b)**CFR Citation:** 38 CFR 17; 37 CFR 17.154**Legal Deadline:** None

Abstract: This document proposes to establish regulations setting forth the requirements for the provision of mechanical and electronic equipment to aid blind veterans in overcoming the handicap of blindness.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

VA

Proposed Rule Stage

Agency Contact: Don Garner, Director of Blind Rehabilitation Service, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8481

Rose Mary McMahon, Executive Assistant, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8482

RIN: 2900-AJ83

VETERANS BENEFITS ADMINISTRATION

3020. 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 Period End	02/26/91	
NPRM	12/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Carol McBrine, M.D., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AE91

3021. 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 Period End	07/01/91	
NPRM	10/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Carol McBrine, MD, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AF23

3022. 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 Period End	07/01/91	
NPRM	07/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Carol McBrine, M.D., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AF24

3023. REVISED DEFINITION OF NET VALUE AND REVISED CRITERIA FOR PRE-FORECLOSURE DEBT WAIVERS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 3720(a); 38 USC 3732(a)

CFR Citation: 38 CFR 36.4301; 38 CFR 36.4323

Legal Deadline: None

Abstract: The Department of Veterans Affairs is proposing to amend its loan guaranty regulations to revise the definition of property improvements for purposes of determining the net value of a foreclosed property and to clarify VA's position on pre-foreclosure debt waivers for liable veterans in cases involving transferee defaults. These changes will account for actual property appraisal procedures and will clarify agency policy on preforeclosure debt waivers. Note: Because the original Notice of Proposed Rulemaking (NPRM) was published on September 22, 1993 (58 FR 49251), VA will republish the NPRM to provide for a new notice and comment period before proceeding with a final rule.

Timetable:

Action	Date	FR Cite
NPRM	09/22/93	58 FR 49251
NPRM Comment Period End	10/22/93	
Second NPRM	10/00/99	
Second NPRM Comment Period End	11/00/99	

VA

Proposed Rule Stage

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Carl Wasson, Acting Assistant Director for Loan Management (261), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7344

RIN: 2900-AG20

3024. 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 501(a); 38 USC 512(a); 38 USC 1110; 38 USC 1131; 38 USC 1155; 38 USC 1502; 38 USC 1521(a)

CFR Citation: 38 CFR 3.321; 38 CFR 3.340; 38 CFR 3.341; 38 CFR 3.342; 38 CFR 4.16; 38 CFR 4.17; 38 CFR 4.18

Legal Deadline: None

Abstract: This action will amend the regulations in part 3 of title 38, United States Code, and in the Schedule for Rating Disabilities in part 4 to provide clear and objective standards for determining whether a veteran is entitled to a total evaluation based on his or her inability to perform substantially gainful employment due to disability.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Lorna Fox, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH21

3025. EVIDENCE ON 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	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Lorna Fox, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH42

3026. 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	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Carol McBride, M.D., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210

RIN: 2900-AH43

3027. 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	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Carol McBride, M.D., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7230

RIN: 2900-AI44

3028. 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

VA

Proposed Rule Stage

use in approving enrollments in courses. It will make other changes for the purposes of clarification.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: Yes**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

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AI67**3029. 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	06/00/99	

Regulatory Flexibility Analysis Required: Yes**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 NW., Washington, DC 20420

Phone: 202 273-7187

Fax: 202 273-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ23**3030. DEPENDENTS EDUCATION: VERIFICATION OF PURSUIT AND CONTINUED ENROLLMENT****Priority:** Substantive, Nonsignificant

Legal Authority: 38 USC 3680; 38 USC 5113

CFR Citation: 38 CFR 21.4135; 38 CFR 21.4138; 38 CFR 21.4204; 38 CFR 21.5130; 38 CFR 21.5131; 38 CFR 21.5133; 38 CFR 21.5200

Legal Deadline: None

Abstract: VA will propose revising the effective dates of reductions in payments of Survivors' and Dependents' Educational Assistance (DEA) and will propose revising the effective dates of reductions in payment of educational assistance under the Post-Vietnam Era Veterans Educational Assistance Program (VEAP). VA also will propose to remove the requirement that an individual must verify his or her continued enrollment in and pursuit of a program of education leading to a standard college degree before VA will make the monthly payment of educational assistance under either DEA or VEAP.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ41**3031. WELL GROUNDED CLAIMS/DUTY TO ASSIST****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 3.159**Legal Deadline:** None

Abstract: This document clarifies VA's policy regarding what action, if any, VA should take to develop information pertaining to benefit claims in adjudication proceedings when presented with claims that are not well grounded.

Timetable:

Action	Date	FR Cite
ANPRM	10/30/98	63 FR 58336
ANPRM Comment	01/28/99	
Period End		
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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

Phone: 202 273-7210

RIN: 2900-AJ44**3032. SCHEDULE FOR RATING DISABILITIES: DISABILITIES OF THE LIVER****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.114**Legal Deadline:** None

Abstract: To expedite updating of diagnostic codes and evaluation criteria for liver diseases, particularly hepatitis C.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Carol McBrine, M.D., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810

VA

Proposed Rule Stage

Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7210
RIN: 2900-AJ46

3033. REVISED CRITERIA FOR MONETARY ALLOWANCE FOR A CHILD BORN WITH SPINA BIFIDA WHO IS A CHILD OF A VIETNAM VETERAN

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1805

CFR Citation: 38 CFR 3.814

Legal Deadline: None

Abstract: To revise criteria for evaluation of spina bifida by clarifying them and making them more objective.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 273-7210

RIN: 2900-AJ51

3034. • CERTIFICATION EVIDENCE FOR PROOF OF SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 3.203

Legal Deadline: None

Abstract: To allow the National Service Organization representatives to certify photocopies as proof of service.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jack Bisset, Jr., Consultant Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810

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

RIN: 2900-AJ55

3035. • SCHEDULE FOR RATING DISABILITY: THE SPINE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.71a

Legal Deadline: None

Abstract: This amendment will contain additions, deletions, and revisions of terminology pertaining to spinal disabilities based on a systematic review of the medical criteria used to evaluate disabilities of the spine.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 273-7210

RIN: 2900-AJ60

3036. • EDUCATION PROVISIONS OF THE VETERANS PROGRAMS ENHANCEMENT ACT OF 1998

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 16136; 38 USC 3034; 38 USC 3241; 38 USC 3485; 38 USC 3537; 38 USC 3677; 38 USC 3684; 38 USC 5101

CFR Citation: 38 CFR 21.4145; 38 CFR 21.4200; 38 CFR 21.4206; 38 CFR 21.4262

Legal Deadline: None

Abstract: This rule will bring VA's educational assistance regulations into agreement with the Veterans Program Enhancement Act of 1998. This will include revising the calculation of the reporting fee paid to educational institutions; making advance payments to work-study students optional rather than mandatory; and revising the approval criteria for on-job training programs offered by the Federal

Government or by State or local governments.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William G. Susling, Jr., Education Adviser (225C), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187
Fax: 202 275-2636
Email: bsusl@va.vba.gov

RIN: 2900-AJ68

3037. • VETERANS EDUCATION: MONTGOMERY GI BILL—ACTIVE DUTY—ADMINISTRATIVE ERROR

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 5112; 38 USC 5113

CFR Citation: 38 CFR 21.7135

Legal Deadline: None

Abstract: The Department of Defense or the Department of Transportation may occasionally make an administrative error or error in judgment that causes an overpayment of educational assistance under the Montgomery GI Bill—Active Duty. This rule would provide that, when this occurs, the award of educational assistance should be reduced or terminated effective the date of last payment.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William G. Susling, Jr., Education Adviser (225C), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7187
Fax: 202 275-2636
Email: bsusl@va.vba.gov

RIN: 2900-AJ70

VA

Proposed Rule Stage

3038. • NATIONAL SERVICE LIFE INSURANCE**Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 38 USC 501; 38 USC 1901 et seq; 38 USC 1981 et seq**CFR Citation:** 38 CFR 8.2; 38 CFR 8.3; 38 CFR 8.4; 38 CFR 8.6; 38 CFR 8.9**Legal Deadline:** None**Abstract:** National Service Life Insurance regulations are being amended by rewriting and reorganizing the text of four sections into a different format to facilitate better communication of the rules to policyholders and to those who administer the program. This amendment is written in conjunction with Veterans Benefits Administration's (VBA) Plain English initiative and supports an Executive Memorandum which mandates plain language in written Government communications. The proposed regulation contains information currently provided under sections 8.2, 8.3, 8.4, and 8.9, as well as topics covered by the current section 8.6. The material found in these sections and other related information is combined into one new regulation, section 8.2.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** George Poole, Chief Program Administration and Oversight Staff (Insurance Service), Department of Veterans Affairs, P.O. Box 8079, Philadelphia, PA 19101
Phone: 215 842-2000**RIN:** 2900-AJ78**3039. • EVIDENCE OF PERMANENT AND TOTAL DISABILITY****Priority:** Other Significant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 3.3(a)**Legal Deadline:** None**Abstract:** This amendment would allow VA to accept the following types

of evidence as establishing that a veteran is permanently and totally disabled, without need for medical evidence: (1) Status as a nursing home patient, (2) SSA determination of total disability, and (3) attainment of age 65.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Don England, Chief Regulations Staff (211), Compensation and Pension Service, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-7217
Fax: 202 275-1756**RIN:** 2900-AJ82**OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT****3040. 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	10/00/99	

Regulatory Flexibility Analysis Required: No**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**3041. 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 procedures, remove a certification requirement regarding conflict of interest, add a standard provision for use by contracting officers to collect currently required information, update references and titles, delegate authority, reorganize material, and delete obsolete material.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No**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), 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-AJ05

VA

Proposed Rule Stage

3042. 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 the VAAR 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 add a VAAR provision for use by contracting officers when complying with the requirements of FAR 52.102(c)(1) and (c)(2). The rule also proposes to require the use of a FAR provision or a FAR clause when incorporating VAAR provisions or clauses by reference and to provide the Internet addresses where FAR or VAAR provisions and clauses may be accessed electronically.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No**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 Kaliher, Senior Procurement Analyst (95A), 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-AJ16**3043. VA ACQUISITION REGULATION PART 819, SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS****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 819**Legal Deadline:** None**Abstract:** This rule proposes to amend VA Acquisition Regulation (VAAR) part 819 to remove obsolete material, to update references and titles, and to amend the VAAR to correspond to the Federal Acquisition Regulation (FAR).**Timetable:**

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Donald E. Kaliher, Senior Procurement Analyst (95A), Office of Acquisition & 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-AJ36**3044. UNIVERSAL PRODUCT NUMBERS (UPNS)****Priority:** Info./Admin./Other**Legal Authority:** 38 USC 501; 40 USC 486(c)**CFR Citation:** 48 CFR 811; 48 CFR 852**Legal Deadline:** None**Abstract:** This rulemaking action would provide new contract clauses whereby Department of Veterans Affairs contracting officers could require contractors to furnish products marked at the case, box, and unit of use levels with Universal Product Numbers (UPNs) for scanning using bar code readers.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.**Agency Contact:** Donald Kaliher, Senior Procurement Analyst (95A), 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-AJ45**3045. • CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS****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 832; 48 CFR 836; 48 CFR 843; 48 CFR 846; 48 CFR 852**Legal Deadline:** None**Abstract:** This rule proposes to amend the Department of Veterans Affairs Acquisition Regulation (VAAR) to revise and update section numbers and titles, to make minor grammatical corrections and revisions, to delegate authority, and to update parts 836, Construction and Architect-Engineer Contracts, and 852, Solicitation Provisions and Contract Clauses, all to correspond to the Federal Acquisition Regulation (FAR). The rule would clarify how existing VAAR clauses relating to construction contracts are to be used, remove obsolete or duplicative materials, update the VAAR regarding certified cost or pricing data, and provide agency procedures regarding disclosure of the Government cost estimate on construction contracts. The rule would also remove a "guarantee" clause from the VAAR and provide for

VA

Proposed Rule Stage

VA contracting officers to use the FAR "warranty" clause for construction contracts.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Donald E. Kaliher, Senior Procurement Analyst (95A), Office of Acquisition & Material 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-AJ56

3046. • APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 38 USC 501; 38 USC 4212; PL 105-333, sec 1354

CFR Citation: 48 CFR 822; 48 CFR 852

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs Acquisition Regulation (VAAR) to add a requirement for contractor representation regarding compliance with veterans employment reporting requirements. This amendment is necessary to assist contracting officers in meeting the requirements of Public Law 105-333 (also known as the Veterans Employment Opportunities Act of 1998), section 1354. This section prohibits agencies from obligating or expending appropriated funds to enter into a contract described in section 4212(a) of title 38 with a contractor from which a report was required under section 4212(a) if such contractor did not file the required report.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Ramona Jones, Senior Procurement Analyst (95A), Acquisition Policy Team, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8821
Fax: 202 273-9302

RIN: 2900-AJ81

BOARD OF VETERANS APPEALS

3047. • BOARD OF VETERANS APPEALS: RULES OF PRACTICE—SUBPOENAS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 5711; 38 USC 5713; 38 USC 7102(a)

CFR Citation: 38 CFR 20.711

Legal Deadline: None

Abstract: VA has the authority to issue subpoenas to compel the attendance of witnesses and/or the production of evidence. This authority has been delegated to Members of the Board through Rule of Practice 711 (38 CFR 20.711), which also sets forth the relevant procedures and generally provides that subpoenas will be issued pursuant to a motion filed with the Board, which is in turn decided by a Board Member or panel of Members.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

Phone: 202 565-5978

RIN: 2900-AJ58

3048. • NOTICE IN SIMULTANEOUSLY CONTESTED CLAIMS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 19.192; 38 CFR 20.502

Legal Deadline: None

Abstract: The Board of Veterans' Appeals is amending its Appeals Regulation and a Rule of Practice concerning simultaneously contested claims to make them more consistent with an authorizing statute and with each other. The statutory provision is currently implemented in two regulations. 38 USC 7105A(b) provides that when one contesting party files his or her "formal appeal" the "substance" of the formal appeal will be communicated to the other contesting parties who then have 30 days to file an answering brief or argument.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 2900-AJ73

NATIONAL CEMETERY SYSTEM

3049. 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

VA

Proposed Rule Stage

Abstract: The proposed rule revises 38 CFR 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 implementation of an all-inclusive inscription policy. This policy change provides for the payment at Government expense of text only, space permitting, for optional inscriptions on all Government headstones or markers. The rule is published as a proposed rule in the Federal Register to provide information to the public on specific changes to VA's inscription policy for Government furnished headstones or markers. A 60-day public comment period is provided. 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	07/00/99	

Regulatory Flexibility Analysis**Required:** No**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

3050. 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 not 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	09/00/99	

Regulatory Flexibility Analysis**Required:** No**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

3051. ELIGIBILITY FOR BURIAL OF DEPENDENT ADULT CHILDREN OF ELIGIBLE VETERANS

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	05/00/99	

Regulatory Flexibility Analysis**Required:** No**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

3052. USE OF THE SECRETARY'S AUTHORITY AS PROVIDED BY 38 USC 2402(6)

Priority: Other Significant**Legal Authority:** 38 USC 2402(6)**CFR Citation:** 38 CFR 1.620(d)**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is issuing a proposed rule to define individuals and groups of individuals, who are otherwise not eligible for burial in a VA national cemetery, that would be considered under the Secretary's authority in 38 USC 2402(6). These new regulations establish a consistent basis for VA to determine those individuals or groups of individuals that VA may consider for eligibility under 38 USC 2402(6).

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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

RIN: 2900-AJ48

3053. OUTER BURIAL RECEPTACLES

Priority: Other Significant**Legal Authority:** 38 USC 501(a); PL 104-275**CFR Citation:** 38 CFR 1.629**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is issuing a proposed rule

VA

Proposed Rule Stage

to implement the provisions of Public Law 104-275 regarding outer burial receptacles. The proposal establishes new regulations to notify individuals that they may choose to privately purchase an outer burial receptacle in lieu of using a Government-provided grave liner in VA national cemeteries, where such grave liners are authorized. VA will provide a monetary allowance for the privately purchased outer burial receptacle. The proposed rule establishes the requirements for the allowance to be paid and the manner in which it will be paid.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 2900-AJ49**3054. • INTERMENT OR MEMORIALIZATION IN VA NATIONAL CEMETERIES AND CERTAIN STATE CEMETERIES—FEDERAL OR STATE CAPITAL CRIME****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 2411; PL 105-116**CFR Citation:** 38 CFR 1; 38 CFR 39**Legal Deadline:** None

Abstract: Public Law No. 105-116, 111 Stat. 2381 (codified at 38 U.S.C. 2411), provides that, under certain circumstances, the remains of certain persons who committed Federal or State capital crimes may not be interred in a VA national cemetery and the memory of such persons may not be memorialized in VA national cemetery. These statutory provisions also impose conditions on the receipt by a State of a VA grant to the State for veteran's cemetery regarding such interments or memorializations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Kenneth Greenberg, Program Analyst (402B1), National Cemetery Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5179

RIN: 2900-AJ77**OFFICE OF INTERGOVERNMENTAL AFFAIRS****3055. 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	04/00/99	

Regulatory Flexibility Analysis Required: No**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**OFFICE OF POLICY AND PLANNING****3056. • AUDITS OF STATES, LOCAL GOVERNMENTS, AND NONPROFIT ORGANIZATIONS; GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC ch 75; 38 USC 501; PL 98-502**CFR Citation:** 38 CFR 41; 38 CFR 49**Legal Deadline:** None

Abstract: This document proposes to amend part 41 of VA's regulations to add new subparts to codify revised OMB Circular A-133. The Circular provides standards for consistency and uniformity among Federal agencies for the audits of States, local governments, and nonprofit organizations expending Federal awards. Further, this amendment proposes to add a new part 49 to VA's regulations to bring VA in step with other Federal agencies who have already adopted OMB Circular A-110 as a common rule. The Circular provides for uniform administrative requirements for Federal agencies with grants and agreements with institutions of higher education, hospitals, and other nonprofit organizations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local

Agency Contact: David Walton, Office of Planning and Analysis (008), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-5061
Fax: 202 273-5993

RIN: 2900-AJ62

DEPARTMENT OF VETERANS AFFAIRS (VA)

Final Rule Stage

VETERANS HEALTH
ADMINISTRATION3057. PER DIEM FOR NURSING HOME
CARE OF VETERANS IN STATE
HOMES**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: This document proposes to establish a new part 51 setting forth a mechanism for paying per diem to State homes providing nursing home care to eligible veterans. Under the proposal, VA would pay per diem to a State for providing nursing home care to eligible veterans in a facility if the Under Secretary for Health recognizes the facility as a State home based on a current VA certification that the facility meets the standards set forth in proposed subpart D. This new part would cover material currently in manuals. Also, it should supersede the regulations currently contained in 38 CFR 17.190 through 17.199 that pertain to payment of per diem for nursing home care in State homes. The standards in proposed subpart D are patterned after the standards of the the Department of Health and Human Services that nursing homes must meet to participate in the Medicare and Medicaid programs (see 42 CFR 483). The standards are intended to set forth minimum requirements necessary to ensure that VA pays per diem for eligible veterans only if the State home provide high quality care. The proposed regulations include application and inspection provisions. 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	11/09/98	63 FR 60227

Action	Date	FR Cite
NPRM Comment	01/08/99	
Period End		
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

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

3058. 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 Affairs 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 resolved 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	04/28/98	
Period End		
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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-AJ033059. 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	10/00/99	

Regulatory Flexibility Analysis Required: No**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-AJ073060. 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 a VA healthcare enrollment system as a condition for receiving hospital care and medical services.

Timetable:

Action	Date	FR Cite
NPRM	07/10/98	63 FR 37299
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

VA

Final Rule Stage

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

3061. 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	11/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marsha Goodwin, Geriatrics and Extended Care, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8533

RIN: 2900-AJ24

3062. ADVANCED HEALTH CARE PLANNING

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1721

CFR Citation: 38 CFR 17.32

Legal Deadline: None

Abstract: This document proposes to amend the VA medical regulations to codify VA policy regarding advance health care planning. The proposed rule sets forth a mechanism for the use of written advance directives, i.e., a VA living will, a VA durable power of attorney for health care, and a State-authorized advance directive. The proposed rule also sets forth a mechanism for honoring verbal or nonverbal instructions from a patient when the patient is admitted to care when critically ill and loss of capacity may be imminent and the patient is not physically able to sign an advance directive form or the appropriate form is not readily available. This is intended to help ensure that VA acts in compliance with patients' wishes concerning future health care.

Timetable:

Action	Date	FR Cite
NPRM	11/02/98	63 FR 58677
NPRM Comment Period End	01/04/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ruth-Ann Phelps, Ph.D, Health Science Specialist (10AE), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8473

RIN: 2900-AJ28

3063. MEDICAL CARE COLLECTION OR RECOVERY

Priority: Other Significant

Legal Authority: 38 USC 101; 38 USC 501; 38 USC 1701; 38 USC 1705; 38 USC 1710; 38 USC 1721; 38 USC 1722; 38 USC 1729

CFR Citation: 38 CFR 17.101; 38 CFR 17.102

Legal Deadline: None

Abstract: This document proposes to amend VA's medical regulations concerning collection or recovery by VA for medical care or services provided or furnished to a veteran: For a non-service-connected disability for which the veteran is entitled to care (or the payment of expenses of care)

under a health-plan contract; for a non-service-connected disability incurred incident to the veteran's employment and covered under a worker's compensation law or plan that provides reimbursement or indemnification for such care and services; or for a non-service-connected disability incurred as a result of a motor vehicle accident in a State that require automobile accident reparations insurance.

Timetable:

Action	Date	FR Cite
NPRM	10/13/98	63 FR 54756
NPRM Comment Period End	12/14/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Cleaver, Medical Care Cost Recovery (174), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8210

Fax: 202 273-6485

RIN: 2900-AJ30

3064. PROVISION OF DRUGS AND MEDICINES TO CERTAIN VETERANS IN STATE NURSING HOMES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1721

CFR Citation: 38 CFR 17.96

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs medical regulations concerning the provision of drugs and medicines prescribed by non-VA physicians for certain veterans who are permanently housebound or in need of regular aid and attendance. The regulations are amended to allow prescriptions to be filled by non-VA pharmacies in State homes under contract with VA for filling prescriptions for patients in State homes. This is consistent with VA's special relationship with State homes. It will eliminate duplication in services and will help improve timeliness for filling prescriptions in State homes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/14/98	63 FR 37941
Final Action	10/00/99	

VA

Final Rule Stage

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeff Ramirez, Pharmacy Service (119), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8428

RIN: 2900-AJ34

VETERANS BENEFITS ADMINISTRATION**3065. 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	10/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 273-7210

RIN: 2900-AF00

3066. SCHEDULE FOR RATING DISABILITIES—DISEASES OF THE EAR AND OTHER SENSE ORGANS

Priority: Other Significant

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

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.75; 38 CFR 4.76; 38 CFR 4.77; 38 CFR 4.78; 38 CFR 4.79; 38 CFR 4.80; 38 CFR 4.83; 38 CFR 4.84; 38 CFR 4.85; 38 CFR 4.86; 38 CFR 4.87

Legal Deadline: None

Abstract: These amendments will contain additions, deletions, and revisions of terminology resulting from a systematic review of the medical criteria used to evaluate impairments of the eye, ear, and other sense organs.

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	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 273-7210

RIN: 2900-AF22

3067. 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 extended the termination date for the program of vocational training for certain pensioners through December 31, 1995, and made 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	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

Phone: 202 273-7410

Fax: 202 275-5636

RIN: 2900-AG00

3068. 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

VA

Final Rule Stage

rheumatologic condition characterized by pain and tender points.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/07/96	61 FR 20438
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 272-7210

RIN: 2900-AH05

3069. SERVICE CONNECTION FOR DENTAL CONDITIONS FOR TREATMENT PURPOSES

Priority: Other Significant

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

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 3.381

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	02/24/97	62 FR 8201
NPRM Comment Period End	04/25/97	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 273-7210

RIN: 2900-AH41

3070. 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 USC allow a veteran who was voluntarily separated from active military, naval, or air service under either 10 USC 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 USC 3018B also require the veteran to submit \$1,200 to the Department of Veterans Affairs (VA) as a condition of receiving the educational assistance. The statute does not contain a deadline for paying the \$1,200. This document amends the VA's Vocational Rehabilitation and Education regulations to explain that an individual who made the election before October 23, 1993, must still submit the \$1,200 to VA as a condition of receiving educational assistance under the Montgomery GI Bill, Active Duty.

Timetable:

Action	Date	FR Cite
NPRM	04/29/98	63 FR 23408
NPRM Comment Period End	06/29/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

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: bsusl@va.vba.gov

RIN: 2900-AH76

3071. 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: This action ensures that veterans diagnosed with intervertebral disc syndrome meet uniform criteria and receive consistent evaluations.

Timetable:

Action	Date	FR Cite
NPRM	02/24/97	62 FR 8204
NPRM Comment Period End	04/25/97	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 273-7210

RIN: 2900-AI22

3072. 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	05/20/98	63 FR 27701
NPRM Comment Period End	07/20/98	
Final Action	06/00/99	

VA

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**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: 202 725-2636

Email: bsusl@va.vba.gov

RIN: 2900-AI31**3073. CLAIMS BASED ON AGGRAVATION OF NONSERVICE-CONNECTED DISABILITY****Priority:** Other Significant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 3.310**Legal Deadline:** None**Abstract:** This document amends VA regulations concerning secondary service connection for certain disabilities. This amendment is necessary because of a recent decision by the U.S. Court of Veterans Appeals and will establish a new means by which veterans may be compensated for disabilities related to other service-connected conditions.**Timetable:**

Action	Date	FR Cite
NPRM	06/04/97	62 FR 30547
NPRM Comment Period End	08/04/97	
Final Action	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Judy Veres, Consultant (211), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AI42**3074. 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	11/12/98	63 FR 63253
NPRM Comment Period End	01/11/99	
Final Action	08/00/99	

Regulatory Flexibility Analysis**Required:** Yes**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

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AI63**3075. 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.

Timetable:

Action	Date	FR Cite
NPRM	03/31/98	63 FR 15341
NPRM Comment Period End	06/01/98	
Final Action	09/00/99	

Regulatory Flexibility Analysis**Required:** Yes**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

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AI68**3076. 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 USC 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 USC chapter 31 for fiscal year 1999 are changed to show a 1.6 percent increase in these rates.**Timetable:**

Action	Date	FR Cite
Final Action	07/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Charles Graffam, Veterans Claims Examiner (28), Vocational Rehabilitation & Counseling

VA

Final Rule Stage

Svc, Department of Veterans Affairs,
Veterans Benefits Administration, 810
Vermont Avenue NW., Washington, DC
20420
Phone: 202 273-7410
Fax: 202 275-5636
RIN: 2900-AI74

3077. 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 2-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	06/23/98	63 FR 34127
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: Yes

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

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AI76

3078. LOAN GUARANTY: 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 veteran to do so without having to pay any expenses out-of-pocket. The revised regulations will limit these loans in most cases to instances where the veteran's monthly mortgage payment will decrease. They will also limit the maximum loan amount and generally require that the loans being refinanced be current in their payments.

Timetable:

Action	Date	FR Cite
NPRM	06/03/98	63 FR 30162
NPRM Comment Period End	08/03/98	
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 2900-AI92

3079. 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	10/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

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-AI97

3080. 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	07/00/99	

Regulatory Flexibility Analysis

Required: No

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: 202 273-7437

Fax: 202 273-5122

RIN: 2900-AJ01

3081. 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: This document amends the Department of Veterans Affairs adjudication regulations concerning eligibility verification reports (EVRs) for recipients of pension under programs in effect prior to January 1, 1979. The amendment reduces the number of

VA

Final Rule Stage

circumstances under which VA requires such pensioners to furnish annual EVRs. The intended effect of this amendment is to reduce the reporting burden on these beneficiaries, reduce the workload at VA regional offices, and enable VA to use its resources more effectively.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/06/98	63 FR 53593
Interim Final Rule	12/07/98	
Comment Period End		
Final Action	10/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Steven Thornberry, 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

3082. 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	09/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ19

3083. 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: This document amends the Department of Veterans Affairs adjudication regulations concerning the monetary allowance for children suffering from spina bifida who are children of Vietnam veterans. This amendment is necessary to implement statutory changes contained in the Veterans' Benefits Act of 1997.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**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

3084. CASH VALUE FOR NATIONAL SERVICE LIFE INSURANCE (NSLI) TERM CAPPED POLICIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1906

CFR Citation: 38 CFR 8.14(a); 38 CFR 8.18

Legal Deadline: None

Abstract: National Service Life Insurance regulations are being amended to provide for the payment of cash value for all current and future term capped policies, either by lump sum cash payment or by the purchase of paid-up additions (PUA) or a combination of the two. Under current law, policyholders whose policies lapse prior to age 96 do not receive any value reserved to their policies. Providing the options of cash values for individuals who no longer need insurance or paid-up additions for policyholders who want to retain insurance coverage without incurring further expense enables policyholders to choose what is best for them.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: George Poole, Chief, Program Administration and Oversight Staff (Insurance Service), Department of Veterans Affairs, P.O. Box 8079, Philadelphia, PA 19101

Phone: 215 842-2000

RIN: 2900-AJ35

3085. VETERANS AND DEPENDENTS EDUCATION: INCREASE IN EDUCATIONAL ASSISTANCE RATES**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3015

CFR Citation: 38 CFR 21.7136; 38 CFR 21.7137

Legal Deadline: None

Abstract: By statute, the monthly rates of basic educational assistance payable to veterans and servicemembers under the Montgomery GI Bill--Active Duty must be adjusted each year in accordance with a statutory formula. The Veterans Benefits Assistance Act of 1998 provides an increase of approximately 20 percent that supersedes the otherwise applicable statutory increase for fiscal year 1999 (October 1, 1998, through September 30, 1999). The regulations governing rates of basic educational assistance payable under the Montgomery GI Bill--Active Duty will be changed to show the rates indicated in the Act.

VA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	07/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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

Phone: 202 273-7187

Fax: 202 275-2636

Email: vaedusvc@patriot.net

RIN: 2900-AJ37

3086. RESERVIST EDUCATION: INCREASE IN EDUCATIONAL RATES**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a); 38 USC 512; 10 USC ch 1606**CFR Citation:** 38 CFR 21.7636**Legal Deadline:** None

Abstract: By statute, the monthly rates of basic educational assistance payable to veterans and servicemembers under the Montgomery GI Bill--Selected Reserve must be adjusted each fiscal year in accordance with a statutory formula. The Veterans Benefits Act of 1998 provides a rate increase of approximately 20 percent that supersedes the otherwise applicable statutory annual adjustment for fiscal year 1999 (October 1, 1998, through September 30, 1999). The regulations governing rates of basic educational assistance payable under the Montgomery GI Bill--Selected Reserve are changed to show the rates indicated in the Act for fiscal year 1999.

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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

Phone: 202 273-7187

Email: bsusl@va.vba.gov

RIN: 2900-AJ38

3087. VETERANS EDUCATION: EFFECTIVE DATE FOR DISCONTINUING EDUCATIONAL ASSISTANCE**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3034; 38 USC 3680; 38 USC 5113**CFR Citation:** 38 CFR 21.7135**Legal Deadline:** None

Abstract: VA is permitted by statute to require veterans and eligible persons to certify their continued pursuit of a program of education before they may receive their monthly payment of educational assistance. VA has required this by regulation for individuals receiving educational assistance under the Montgomery GI Bill--Active Duty. By statute, any adjustment in the individual's training time resulting from these certifications must be made as of the date of the occurrence. The regulation governing the reduction of benefits will be revised to reflect the statutory requirement.

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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

Phone: 202 273-7187

Fax: 202 273-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ39

3088. VETERANS EDUCATION: INCREASED ALLOWANCES FOR THE EDUCATIONAL ASSISTANCE TEST PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 16131; 10 USC 2144**CFR Citation:** 38 CFR 21.7636; 38 CFR 21.5822**Legal Deadline:** None

Abstract: By statute, the monthly rates of basic educational assistance payable

to reservists under the Montgomery GI Bill--Selected Reserve must be adjusted each fiscal year in accordance with a statutory formula. The Veterans Benefits Act of 1998 provides an increase of approximately 20 percent that supersedes the otherwise applicable statutory increase for fiscal year 1999 (October 1, 1998, through September 30, 1999). The regulations governing rates of basic educational assistance payable under the Montgomery GI Bill--Selected Reserve will be changed to show the rates indicated in the Act. The rates will be revised accordingly.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ40

3089. PENSION BENEFITS**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 5503**CFR Citation:** 38 CFR 3.551**Legal Deadline:** None

Abstract: To extend the date through which VA will limit the pension benefits of veterans and surviving spouses receiving Medicaid covered under nursing home care to \$90 per month.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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

VA

Final Rule Stage

Phone: 202 273-7210

RIN: 2900-AJ50

3090. EXCLUSIONS FROM INCOME**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 10602(c)**CFR Citation:** 38 CFR 3.261; 38 CFR 3.262; 38 CFR 3.272**Legal Deadline:** None**Abstract:** To exclude from countable income for VA purposes amounts received under the Victims of Crime Act of 1984.**Timetable:**

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jack Bisset, Jr., Consultant, Regulations Staff (211A), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ52

3091. REINSTATEMENT OF BENEFITS ELIGIBILITY BASED UPON TERMINATED MARITAL RELATIONSHIPS**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1311(e)**CFR Citation:** 38 CFR 3.55**Legal Deadline:** None**Abstract:** To provide that the remarried surviving spouse of a veteran is not barred from receiving dependency and indemnity compensation if the remarriage is terminated.**Timetable:**

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jack Bisset, Jr., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810

Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ53

3092. • CHILD**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 101(4); 38 USC 104**CFR Citation:** 38 CFR 3.57**Legal Deadline:** None**Abstract:** To exclude homeschool programs from the Definition of "School Child."**Timetable:**

Action	Date	FR Cite
Final Action	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jack Bisset, Jr., Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ54

3093. • CLAIMS BASED ON EFFECT OF TOBACCO PRODUCTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 1103**CFR Citation:** 38 CFR 3.300; 38 CFR 3.310**Legal Deadline:** None**Abstract:** To implement Public Law 105-206, which prohibits service connection for injury or disease attributable to the use of tobacco products by the veteran during the veteran's military service, except for disability or death that is otherwise shown to have been incurred or aggravated during service, or that meets the presumptive requirements of the law.**Timetable:**

Action	Date	FR Cite
Final Action	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Steven Thornberry, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ59

3094. • RETURNED AND CANCELED CHECKS**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a); 38 USC 5122**CFR Citation:** 38 CFR 3.1003**Legal Deadline:** None**Abstract:** To bring the regulation into conformance with the governing statute by providing for the payment of proceeds of VA benefit checks issued to a payee but not negotiated prior to the payee's death.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Steven Thornberry, Consultant, Regulations Staff (211B), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-7210

RIN: 2900-AJ61

3095. • SURVIVING SPOUSES BENEFIT FOR MONTH OF VETERAN'S DEATH**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a); 38 USC 5111; 38 USC 5310**CFR Citation:** 38 CFR 3.20**Legal Deadline:** None**Abstract:** To bring the regulation into conformance with the governing statute by providing that the surviving spouse may receive payment for the month of death at the veteran's rate, that rate of benefits is equal to or greater than the rate of death pension or DIC payable to the surviving spouse.

VA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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

Phone: 202 273-7210

RIN: 2900-AJ64

3096. • DIC BENEFITS FOR SURVIVORS OF CERTAIN VETERANS RATED TOTALLY DISABLED AT TIME OF DEATH**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1311; 38 USC 501(a)**CFR Citation:** 38 CFR 3.22; 38 CFR 3.54**Legal Deadline:** None

Abstract: This is an interpretative rule to clarify the Department of Veterans Affairs' conclusion that 38 USC 1318 authorizes payment of DIC only in cases where a veteran had, during his or her lifetime, established a right to receive total service-connected disability compensation for the period required by the statute.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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

Phone: 202 273-7210

RIN: 2900-AJ65

3097. • MODIFIED ELIGIBILITY CRITERIA FOR THE MONTGOMERY GI BILL—ACTIVE DUTY**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3011; 38 USC 3012; 38 USC 3016**CFR Citation:** 38 CFR 21.7042; 38 CFR 21.7044; 38 CFR 21.7045**Legal Deadline:** None

Abstract: This rule will implement a provision of the Veterans Programs Enhancement Act of 1998 that changes the eligibility criteria for the Montgomery GI Bill--Active Duty.

Timetable:

Action	Date	FR Cite
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ69

3098. • SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE ACCELERATED BENEFITS OPTION**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-368, sec 302**CFR Citation:** 38 CFR 9.13**Legal Deadline:** None

Abstract: Section 302 of the Veterans Program Enhancement Act of 1998 (Pub. L. 105-368) authorizes the payment of accelerated benefits in the Servicemembers' Group Life Insurance (SGLI) and Veterans' Group Life Insurance (VGLI) programs, effective February 9, 1999. This rule amends Department of Veterans Affairs (VA) regulations by providing an accelerated benefit option that will permit terminally ill members access to life insurance benefits before they die.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Greg Hosmer, Senior Attorney/Insurance Specialist, Insurance Program Administration & Oversight, Department of Veterans Affairs, P.O. Box 8079, Philadelphia, PA 19101

Phone: 215 842-2000

RIN: 2900-AJ80

OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT**3099. 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 Public Law 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 and for 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	11/09/98	63 FR 60256
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No**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), Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8819

VA

Final Rule Stage

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

RIN: 2900-AI71

3100. VA ACQUISITION REGULATIONS PART 801, LEGAL/TECHNICAL REVIEW REQUIREMENTS

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 801.602-70; 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	12/00/99	

Regulatory Flexibility Analysis Required: No

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 Kaliher, Senior Procurement Analyst (95A), 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-AI96

3101. 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 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	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

Agency Contact: Donald E. Kaliher, Senior Procurement Analyst (95A), Office of Acquisition & 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-AI99

3102. VAAR PART 803—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICT OF INTEREST, AND PART 852—SOLICITATION PROVISIONS IN CONTRACT CLAUSES

Priority: Substantive, Nonsignificant

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

Legal Authority: 38 USC 501; 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	04/07/98	63 FR 16955
NPRM Comment Period End	06/08/98	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

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: Rita Williams, Senior Procurement Analyst (95A), Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-8774
Fax: 202 273-9302
Email: rita.williams@mail.va.gov
RIN: 2900-AJ06

3103. VA ACQUISITION REGULATIONS; PART 802, DEFINITION OF "HEAD OF CONTRACTING ACTIVITY"

Priority: Info./Admin./Other

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

CFR Citation: 48 CFR 802

Legal Deadline: None

Abstract: This rule amends the Department of Veterans Affairs Acquisition Regulations (VAAR) concerning the definition of "Head of the Contracting Activity" (HCA). This amendment is necessary to ensure that the VAAR provides a single, consistent definition of HCA in order to unambiguously designate such individuals within the agency, by specifying that such individuals be appointed in writing by the

VA

Final Rule Stage

Procurement Executive, and by amending the definition at 802.100(a) which specifics HCAs by position title.

Timetable:

Action	Date	FR Cite
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No**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: Rita Williams, Senior Procurement Analyst (95A), Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8774

Fax: 202 273-9302

Email: rita.williams@mail.va.gov

RIN: 2900-AJ26

3104. VA ACQUISITION REGULATION: TAXES**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; 50 USC 486(c)**CFR Citation:** 48 CFR 829**Legal Deadline:** None

Abstract: This rule proposes to amend the Department of Veterans Affairs Acquisition Regulation (VAAR) by deleting provisions pertaining to the acquisition of tax-free alcohol products. The provisions proposed for deletion are internal Department of Veterans Affairs (VA) guidance to contracting officers and are not required to be in the Code of Federal Regulations. In addition, the rule proposes to delete procedures and controls prescribed in the VAAR for facilities or institutions owned or controlled by State governments, territories, and the District of Columbia to obtain tax-free tobacco products for gratuitous distribution to present and former members of the Armed Forces of the United States. VA policy is to not provide tobacco products to VA patients. This proposed change would

be an extension of that policy. By deleting these provisions and controls, VA would no longer assist State governments, territories, and the District of Columbia in obtaining tax-free tobacco products.

Timetable:

Action	Date	FR Cite
NPRM	01/29/99	64 FR 4607
NPRM Comment Period End	03/30/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

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 Kaliher, Senior Procurement Analyst (95A), 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-AJ32

3105. VA ACQUISITION REGULATIONS: PART 801, VA CONTRACTING OFFICER CERTIFICATION PROGRAM**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**Legal Deadline:** None

Abstract: This rule amends the Department of Veterans Affairs Acquisition Regulations (VAAR) concerning the VA Contracting Officer Certification Program (COCP). This amendment is necessary to delete information appropriate to an internal directive from the codified regulations. The amendment directs the reader's attention to a specific agency directive for information on the COCP.

Timetable:

Action	Date	FR Cite
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No**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: Rita Williams, Senior Procurement Analyst (95A), Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-8774

Fax: 202 273-9302

Email: rita.williams@mail.va.gov

RIN: 2900-AJ33

3106. VA ACQUISITION REGULATIONS: BONDS AND INSURANCE**Priority:** Info./Admin./Other**Legal Authority:** 38 USC 501; 40 USC 486(c)**CFR Citation:** 48 CFR 828; 48 CFR 852**Legal Deadline:** None

Abstract: This document amends the Department of Veterans Affairs Acquisition Regulation (VAAR) to: Revise and update section numbers and titles to correspond with the FAR; make minor grammatical corrections and revisions; and to designate the Deputy Assistant Secretary for Acquisition and Materiel Management as the Department's designee, referenced in Federal Acquisition Regulation 28.203-7, for excluding individuals from acting as surety on bonds and for making determinations to accept bonds from individuals named on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no

VA

Final Rule Stage

paperwork burden associated with this action.

Agency Contact: Donald Kaliher, Senior Procurement Analyst (95A), Office of Acquisition & Materiel Management, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20240
Phone: 202 273-8819
Fax: 202 273-9302
Email: donald.kaliher@mail.va.gov
RIN: 2900-AJ47

BOARD OF VETERANS APPEALS

3107. 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
NPRM Comment Period End	02/09/98	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steven L. Keller, Chief Counsel (01C), Board of Veterans Appeals, Department of Veterans Affairs, Board of Veterans Appeals, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 565-5978
RIN: 2900-AI98

3108. ● APPEALS REGULATIONS, RULES OF PRACTICE: TITLE CHANGE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a)

CFR Citation: 38 CFR 20.608; 38 CFR 20.609; 38 CFR 20.610; 38 CFR 20.711

Legal Deadline: None

Abstract: The Board of Veterans' Appeals adjudicates appeals from denials of claims for veterans' benefits filed with the Department of Veterans Affairs (VA). This document amends the Board's Rules of Practice to correct the title of the Board's Chief Counsel.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 2900-AJ57

3109. ● DELEGATIONS OF AUTHORITY—APPEALS REGULATIONS AND RULES OF PRACTICE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 512; 38 USC 7101(a); 38 USC 7102; 38 USC 7104

CFR Citation: 38 CFR 19.2; 38 CFR 19.14; 38 CFR 20.102; 38 CFR 20.606(d)

Legal Deadline: None

Abstract: The Board of Veterans' Appeals is amending its Appeals Regulation and Rules of Practice to update the delegations of authority to Members of the Board, and to include the definition of "Chief Members" to whom some authority is delegated.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steven L. Keller, Chief Counsel, Board of Veterans Appeals, Department of Veterans

Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 292 565-5978

RIN: 2900-AJ66

3110. ● CASE DOCKETING—APPEALS REGULATIONS AND RULES OF PRACTICE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 7107; PL 103-446, sec 302

CFR Citation: 38 CFR 19.75; 38 CFR 20.704; 38 CFR 20.900

Legal Deadline: None

Abstract: The Board of Veterans' Appeals is amending its Appeals Regulations and Rules of Practice to comply with Public Law 105-368, section 1003, "Veterans Programs Enhancement Act of 1998." These changes will reflect the way in which the Board processes cases before it. These procedures will affect several types of cases--those which are advanced on the hearing docket, the order in which they are considered, and a new provision added to permit postponement of consideration of a case in order to afford an appellant a hearing.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 2900-AJ72

3111. ● NOTIFICATION OF REPRESENTATIVES IN CONNECTION WITH MOTIONS FOR 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 20.1405

Legal Deadline: None

Abstract: The Board of Veterans' Appeals is amending its Rules of

VA

Final Rule Stage

Practice at 38 CFR part 20 to add procedures for notifying representatives when parties file motions to challenge final Board decisions on the grounds of "clear and unmistakable error" (CUE). The change is required to help assure that veterans have the benefit of representation in connection with CUE motions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2900-AJ75

NATIONAL CEMETERY SYSTEM**3112. • NATIONAL CEMETERY ADMINISTRATION TITLE CHANGES**

Priority: Info./Admin./Other

Legal Authority: 38 USC 501

CFR Citation: 38 CFR 1; 38 CFR 2; 38 CFR 3; 38 CFR 39

Legal Deadline: None

Abstract: Provisions of Public Law 105-368 changed the name of the National Cemetery System to the National Cemetery Administration and the position title of the Director, National Cemetery System, to the Under Secretary for Memorial Affairs. VA will publish a technical amendment in the Federal Register to update all sections of title 38, Code of Federal Regulations, to reflect the new office name and position title changes.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sonja McCombs, Program Analyst (402B1), National Cemetery Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-5183

Fax: 202 273-6697

RIN: 2900-AJ79

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY**3113. • DELEGATION OF AUTHORITY—DECISIONMAKING REGARDING DISCRIMINATION**

Priority: Info./Admin./Other

Legal Authority: 5 USC 553

CFR Citation: 38 CFR 2

Legal Deadline: None

Abstract: This document delegates to certain Department of Veterans Affairs officials authority to make final agency decisions regarding the procedural acceptability of equal employment opportunity discrimination complaints. It also delegates authority to those officials to make final agency decisions which determine whether a breach of an equal employment opportunity complaint settlement agreement has occurred.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Ventris C. Gibson, Deputy Assistant Secretary for Resolution Management (08), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420
Phone: 202 273-9437
Email: ventris.gibson@mail.va.gov

RIN: 2900-AJ63

OFFICE OF THE GENERAL COUNSEL**3114. RELEASE OF INFORMATION FROM DEPARTMENT OF VETERANS AFFAIRS RECORDS**

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: 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	09/10/98	63 FR 48455
NPRM Comment Period End	11/09/98	
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

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

3115. 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

VA

Final Rule Stage

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	11/04/98	63 FR 59495
NPRM Comment Period End	01/04/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

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: 202 273-6329

Fax: 202 273-6404

RIN: 2900-AI93

3116. DELEGATIONS OF AUTHORITY; FEDERAL TORT CLAIMS

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 1346; 28 USC 2672; 28 USC 2680

CFR Citation: 38 CFR 2; 38 CFR 2.6; 38 CFR 14; 38 CFR 14.601; 38 CFR 14.604

Legal Deadline: None

Abstract: This document proposes to amend the Department of Veterans Affairs (VA) regulations concerning procedures for claims under the Federal Tort Claims Act (FTCA). It also proposes to amend delegations of authority to Office of General Counsel and Veterans Health Administration employees concerning claims under the FTCA and to reflect in the procedural regulations the proposed change in delegations of authority. The changes are intended to facilitate processing of claims and to provide procedures for

reconsideration. This document proposes other changes in delegations of authority to reflect current Office of General Counsel and Veterans Health Administration organization. Further, this document proposes to make changes for the purposes of clarification and to remove unnecessary provisions.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: E. Douglas Bradshaw, Jr., Assistant General Counsel (021), Office of the General Counsel, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420

Phone: 202 273-6481

RIN: 2900-AJ31

DEPARTMENT OF VETERANS AFFAIRS (VA)

Long-Term Actions

VETERANS HEALTH ADMINISTRATION

3117. PROTECTION OF HUMAN SUBJECTS

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 16

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Timothy Gerrity

Phone: 202 273-8284

Fax: 202 273-6526

RIN: 2900-AJ08

VETERANS BENEFITS ADMINISTRATION

3118. 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	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Carl Wasson

Phone: 202 273-7344

RIN: 2900-AE20

3119. 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	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Carl Wasson

Phone: 202 273-7344

RIN: 2900-AE60

3120. MEDICAL EVIDENCE THAT A DISABILITY HAS IMPROVED

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.344

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Larry Freiheit

Phone: 202 273-7210

RIN: 2900-AH82

3121. 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

Regulatory Flexibility Analysis

Required: No

VA

Long-Term Actions

Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Paul Trowbridge
 Phone: 202 273-7210
RIN: 2900-AI10

3122. REVISION OF DECISION

Priority: Substantive, Nonsignificant
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

Timetable: Next Action Undetermined
Regulatory Flexibility Analysis Required: No

Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Jack Bisset
 Phone: 202 273-7210
RIN: 2900-AI64

3123. ADDITIONAL REQUIREMENTS FOR INTEREST RATE REDUCTION REFINANCING LOANS

Priority: Substantive, Nonsignificant
CFR Citation: 38 CFR 36.4306a
Timetable: Next Action Undetermined
Regulatory Flexibility Analysis Required: No
Government Levels Affected: None
Agency Contact: Robert Finneran
 Phone: 202 273-7368
RIN: 2900-AJ02

BOARD OF VETERANS APPEALS**3124. APPEALS REGULATIONS; RULES OF PRACTICE**

Priority: Substantive, Nonsignificant
CFR Citation: 38 CFR 19.3 (Revision); 38 CFR 19.10; 38 CFR 19.15 (Revision); 38 CFR 19.39; 38 CFR 20.3; 38 CFR 20.101 (Revision); 38 CFR 20.102 (Revision); 38 CFR 20.201 (Revision); 38 CFR 20.605 (Revision); 38 CFR

20.609 (Revision); 38 CFR 20.903 (Revision); 38 CFR 20.1000; 38 CFR 20.1001; 38 CFR 20.1002; 38 CFR 20.1100 (Revision); ...

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Steven L. Keller
 Phone: 202 565-5978
RIN: 2900-AE78

3125. 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
Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined
Agency Contact: Steven L. Keller
 Phone: 202 565-5978
RIN: 2900-AG07

3126. 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	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Steven L. Keller
 Phone: 202 565-5978
RIN: 2900-AG90

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY**3127. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE**

Priority: Substantive, Nonsignificant
CFR Citation: 38 CFR 23
Timetable: Next Action Undetermined
Regulatory Flexibility Analysis Required: No
Government Levels Affected: None
Agency Contact: Ellis Jones Hodges
 Phone: 202 273-7632
 Fax: 202 273-6537
RIN: 2900-AJ11

OFFICE OF THE ASSISTANT SECRETARY FOR ACQUISITION AND FACILITIES**3128. 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	01/26/90	
Period End		
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: 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

3129. CHAMPVA REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 17.84**Completed:**

Reason	Date	FR Cite
Final Action	09/09/98	63 FR 48100
Final Action Effective	10/09/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Susan K. Schmetzer

Phone: 303 331-7552

Fax: 303 331-7830

Email:

schmetzer@champva.denver.va.gov

RIN: 2900-AE64**3130. DELEGATION OF AUTHORITY TO PROVIDE RELIEF ON ACCOUNT OF ADMINISTRATIVE ERROR****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 2.7**Completed:**

Reason	Date	FR Cite
Withdrawn	11/18/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Paul Trowbridge

Phone: 202 273-7210

RIN: 2900-AH19**3131. ELECTION OF EDUCATION BENEFITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.3023; 38 CFR 21.5041; 38 CFR 21.7040; 38 CFR 21.7540**Completed:**

Reason	Date	FR Cite
Final Action	08/27/98	63 FR 45717
Final Action Effective	09/28/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AH88**3132. 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**Completed:**

Reason	Date	FR Cite
Withdrawn	11/18/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Paul Trowbridge

Phone: 202 273-7210

RIN: 2900-AH94**3133. 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.**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; ...**Completed:**

Reason	Date	FR Cite
Withdrawn	11/18/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Douglas L. Bragg

Phone: 202 273-7210

RIN: 2900-AI14**3134. DISEASES SUBJECT TO PRESUMPTIVE SERVICE CONNECTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.309(a)**Completed:**

Reason	Date	FR Cite
Withdrawn	11/18/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bradley Flohr

Phone: 202 273-7210

RIN: 2900-AI81**3135. ADDITIONAL DISABILITY OR DEATH DUE TO HOSPITAL CARE, MEDICAL OR SURGICAL TREATMENT, EXAMINATION, OR TRAINING AND REHABILITATION SERVICES****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.358; 38 CFR 3.361; 38 CFR 3.362; 38 CFR 3.363; 38 CFR 3.800**Completed:**

Reason	Date	FR Cite
Final Action - (See 63 FR 45004 for history of regulation.)	01/08/99	64 FR 1131

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jack Bisset

Phone: 202 273-7210

RIN: 2900-AJ04**3136. MINIMUM INCOME ANNUITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.811**Completed:**

Reason	Date	FR Cite
Final Action	11/10/98	63 FR 62943
Final Action Effective	11/10/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** John Bisset

Phone: 202 273-7210

RIN: 2900-AJ17**3137. DEPENDENTS EDUCATION: INCREASE IN EDUCATIONAL ASSISTANCE RATES****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.3045; 38 CFR 21.3131; 38 CFR 21.3300; 38 CFR 21.3333

VA

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	10/01/98	63 FR 67778
Final Action Effective	12/09/98	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William G. Susling, Jr.

Phone: 202 273-7187

Fax: 202 275-2636

Email: bsusl@va.vba.gov

RIN: 2900-AJ42

3138. 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.

CFR Citation: 48 CFR 847

Completed:

Reason	Date	FR Cite
Withdrawn	01/26/99	

Regulatory Flexibility Analysis

Required: No

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

Phone: 202 273-8818

Fax: 202 273-9302

Email: john.corso@mail.va.gov

RIN: 2900-AI56

3139. VA ACQUISITION REGULATION: TITLE AND REFERENCE UPDATES

Priority: Info./Admin./Other

CFR Citation: 48 CFR 801; 48 CFR 803; 48 CFR 805; 48 CFR 806; 48 CFR 808; 48 CFR 814; 48 CFR 817; 48 CFR 819; 48 CFR 822; 48 CFR 825; 48 CFR 828; 48 CFR 831; 48 CFR 832; 48 CFR 833; 48 CFR 836

Completed:

Reason	Date	FR Cite
Final Action	12/16/98	63 FR 69216

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

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 Kaliher

Phone: 202 273-8819

Fax: 202 273-9302

Email: donald.kaliher@mail.va.gov

RIN: 2900-AJ29

3140. BOARD OF VETERANS' APPEALS: RULES OF PRACTICE—REVISION OF DECISIONS ON GROUNDS OF CLEAR AND UNMISTAKABLE ERROR

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Final Action	01/13/99	64 FR 2134
Final Action Effective	02/12/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Steve L. Keller

Phone: 205 565-5978

RIN: 2900-AJ15

3141. NONDISCRIMINATION ON THE BASIS OF SEX UNDER FEDERALLY ASSISTED EDUCATION PROGRAMS AND ACTIVITIES

Priority: Other Significant

CFR Citation: 38 CFR 18

Completed:

Reason	Date	FR Cite
Withdrawn - Superseded by RIN 2900-AJ11, Common Rule	01/11/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Ellis Jones Hodges

Phone: 202 273-7632

Fax: 202 273-6537

RIN: 2900-AB51

[FR Doc. 99-4897 Filed 04-23-99; 8:45 am]

BILLING CODE 8320-01-F