



Federal Register

**Monday,
October 31, 2005**

Part XVII

**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 in the fall 2005. 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, Regulations Management (00REG1), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420.

FOR FURTHER INFORMATION CONTACT: Millicent Dew at (202) 273-9515.

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. For this edition of the Department of Veterans Affairs regulatory agenda, VA’s most important significant regulatory action is included in the Regulatory Plan.

Robert C. McFetridge,
Director, Regulations Management.

Department of Veterans Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2904	Use of VA Form 10-10EZR and Signature of Requirements for Certain VA Forms	2900-AL91
2905	Beneficiary Travel	2900-AM02
2906	Informed Consent—Extension of Time Period and Modification of Witness Requirement for Signature Consent	2900-AM19
2907	Informed Consent—Designate Health Care Professionals To Obtain Informed Consent	2900-AM21
2908	Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA)—Expansion of Benefit Coverage for Enuretic Devices and Certain Prostheses and Delegations of Authority	2900-AM22
2909	Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA): Preventive Services	2900-AM23
2910	Education Provisions of the Veterans Programs Enhancement Act of 1998	2900-AJ68
2911	Veterans and Dependents Education: Topping-Up Tuition Assistance; Licensing and Certification Tests; Duty To Assist Education Claimants	2900-AK80
2912	Administration of VA Education Benefits—Centralized Certification	2900-AL43
2913	Survivors’ and Dependents’ Educational Assistance Program Eligibility Period for Eligible Children and Other Miscellaneous Issues	2900-AL44
2914	Burial Benefits	2900-AL72
2915	Rules on Apportionments to Dependents; Payments to Fiduciaries and Incarcerated Beneficiaries	2900-AL74
2916	Regulations Related to Payments and Adjustments to Payments	2900-AL75
2917	Claims Based on Service in the Philippine Armed Forces	2900-AL76
2918	Vocational Rehabilitation and Employment Program—Statutory Amendments, U.S. Court of Appeals for Veterans Claims Decisions, Policy Revisions, and Reader-Focused Plain English Regulations	2900-AL78
2919	Special and Ancillary Benefits for Veterans, Dependents, and Survivors	2900-AL84
2920	General Provisions	2900-AL87
2921	Special Ratings	2900-AL88
2922	Dependency and Indemnify Compensation Benefits	2900-AL89
2923	Loan Guaranty: Amendments to Hybrid Adjustable Rate Mortgages	2900-AL92
2924	Dependents of Veterans	2900-AL94
2925	Payments to Beneficiaries Who Are Eligible for More Than One Benefit	2900-AL95
2926	General Evidence Requirements, Effective Dates, Revision of Decisions, and Protection of Existing Ratings	2900-AM01
2927	Improved Pension	2900-AM04
2928	Matters Affecting Receipt of Benefits	2900-AM05
2929	Payments and Adjustments to Payments	2900-AM06
2930	Service-Connected Disability Compensation	2900-AM07
2931	Transfer of Montgomery GI Bill—Active Duty Entitlement to Dependents	2900-AM12
2932	VA Benefits Claims	2900-AM16
2933	Vocational Rehabilitation and Employment Program—Initial Evaluations	2900-AM25
2934	Accrued Benefits	2900-AM28
2935	Department of Veterans Affairs Acquisition Regulations Plain Language Rewrite	2900-AK78
2936	Board of Veterans’ Appeals: Remand or Referral to the Agency of Original Jurisdiction	2900-AM30
2937	Applications, Claims, and Notice Requirements	2900-AM17
2938	Accreditation of Service Organization Representatives	2900-AM29

VA

Department of Veterans Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2939	Advanced Health Care Planning	2900-AJ28
2940	Grants to States for Construction and Acquisition of State Home Facilities	2900-AJ43
2941	Enrollment—Provision of Hospital and Outpatient Care to Veterans—Subpriorities of Priority Categories 7 and 8 and Enrollment Level Decision (Reg Plan Seq No. 99)	
2942	Patients' Rights	2900-AL51
2943	Medication Prescribed by Non-VA Physicians	2900-AL66
2944	Eligibility for Health Care Benefits for Certain Filipino Veterans in the United States	2900-AL68
2945	Elimination of Co-Pay for Smoking Cessation Counseling	2900-AM03
2946	Grants for the Hiring and Retention of Nurses in the State Home Program	2900-AM11
2947	Total Disability Evaluations Based on Inability of the Individual To Engage in Substantially Gainful Employment ...	2900-AM26
2948	Schedule for Rating Disabilities—The Eye	2900-AH21
2949	Claims Based on Aggravation of Nonservice-Connected Disability	2900-AH43
2950	Definition of Psychosis for Certain VA Purposes	2900-AI42
2951	Filipino Veterans' Benefit Improvements	2900-AK21
2952	Schedule for Rating Disabilities; Guidelines for Application of Evaluation Criteria for Certain Respiratory and Cardiovascular Conditions; Evaluation of Hypertension With Heart Disease	2900-AK65
2953	Veterans Education: Veterans Education and Benefits Expansion Act of 2001	2900-AL26
2954	Schedule for Rating Disabilities; Evaluation of Multiple Scars	2900-AL28
2955	Loan Guaranty; Loan Servicing and Claims Procedures Modification	2900-AL32
2956	Service Requirements for Veterans	2900-AL65
2957	Reservists' Education: Revision of Eligibility Requirements for the Montgomery GI Bill—Selected Reserve	2900-AL67
2958	Presumptions of Service Connection for Certain Disabilities and Related Matters	2900-AL69
2959	Adjudication: Accrued Benefits and Death Compensation Benefits	2900-AL70
2960	Duties of VA; Rights and Responsibilities of Claimants and Beneficiaries	2900-AL71
2961	Elections of Improved Pension; Old Law and Section 306 Pension	2900-AL82
2962	Dependency and Indemnity Compensation: Surviving Spouse's Rate; Payments Based on Veterans Entitlement to Compensation for Service-Connection Disability Rated Totally Disabling for Specified Periods	2900-AL83
2963	Phase-In of Full Concurrent Receipt of Military Retired Pay and Veterans Disability Compensation for Certain Military Retirees	2900-AL86
2964	New and Material Evidence	2900-AM13
2965	Remarriage of a Surviving Spouse	2900-AM15
2966	Veterans Benefits Act of 2003 and Veterans Benefits Improvement Act of 2004	2900-AM24
2967	Use of Diagnostic Code Numbers; Schedule of Ratings—Neurological Conditions and Convulsive Disorders	2900-AM27
2968	Board of Veterans' Appeals: Clarification of a Notice of Disagreement	2900-AM32
2969	Board of Veterans' Appeals: Rules of Practice: Public Availability of Board Decisions	2900-AL97
2970	Delegations of Authority; National Cemetery Administration	2900-AM31
		2900-AM18

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

Department of Veterans Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2971	Loan Guaranty: Assistance to Certain Disabled Veterans in Acquiring Specially Adapted Housing	2900-AL58

Department of Veterans Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2972	Federal Policy for the Protection of Human Subjects Technical Amendment	2900-AL99
2973	Exceptions to Definition of Date of Receipt Based on Special or Unforeseen Circumstances	2900-AL12
2974	Loan Guaranty: Hybrid Adjustable Rate Mortgages	2900-AL54
2975	Veterans Education: Nonpayment of VA Educational Assistance to Fugitive Felons	2900-AL79
2976	Presumption of Sound Condition: Aggravation of a Disability by Active Service	2900-AL90
2977	Presumptions of Service Connection for Diseases Associated With Service Involving Detention or Internment as a Prisoner of War	2900-AM09

VA

Department of Veterans Affairs—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
2978	Jurisdictions and Addresses of Regional Counsels	2900-AM20
2979	Audits of States, Local Governments, and Nonprofit Organizations; Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2900-AJ62

Department of Veterans Affairs (VA)

Proposed Rule Stage

VETERANS HEALTH ADMINISTRATION

2904. USE OF VA FORM 10-10EZ AND SIGNATURE OF REQUIREMENTS FOR CERTAIN VA FORMS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1721

CFR Citation: 38 CFR 17.36

Legal Deadline: None

Abstract: This document proposes to permit already-enrolled veterans to use a new, shorter form when they wish to update their enrollment information previously reported. The new, shorter form will decrease the information collection burden on veterans and will save them time when they are updating their financial information for VA. This document also proposes an amendment to establish who can sign VA administrative health care forms when the veteran is unable to do so. Finally, this document proposes to remove the photocopy of VA Form 10-10EZ, Application for Health Benefits, from parts 17 and 58 of 38 CFR.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments: www.regulations.gov

Agency Contact: Roscoe G. Butler, Senior Management and Program Analyst (163), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 254-0329

Fax: 202 273-9609
Email: roscoe.butler@hq.med.va.gov

RIN: 2900-AL91

2905. BENEFICIARY TRAVEL

Priority: Other Significant

Legal Authority: 38 USC 111

CFR Citation: 38 CFR 17.143; 38 CFR 17.144; 38 CFR 17.145; 38 CFR 70 (new)

Legal Deadline: None

Abstract: The Department of Veterans Affairs proposes to revise its beneficiary travel regulations authorized under 38 U.S.C. 111. These regulations are intended to provide a mechanism for paying travel expenses to help veterans and other persons obtain services from the Veterans Health Administration.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments: www.regulations.gov

Agency Contact: Tony Guagliardo, Director of Business Policy, Chief Business Office (163), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 254-0406

RIN: 2900-AM02

2906. • INFORMED CONSENT— EXTENSION OF TIME PERIOD AND MODIFICATION OF WITNESS REQUIREMENT FOR SIGNATURE CONSENT

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1721; 38 USC 7331 to 7334

CFR Citation: 38 CFR 17.32

Legal Deadline: None

Abstract: This document proposes to amend VA medical regulations on informed consent by making two substantive changes. We propose to extend the period of time during which a signed consent form remains valid from 30 to 60 days and eliminate the requirement that a third party witness the patient or surrogate and practitioner signing the consent form, except in those circumstances where the patient signs with an “X”.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: varegulations@va.gov

Agency Contact: Ruth Cecire Ph.D., Policy Analyst, Department of Veterans Affairs, National Center for Ethics in HC (10E), 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 501-2012
Fax: 202 501-2238
Email: ruth.cecire@va.gov

Related RIN: Related to 2900-AM21

RIN: 2900-AM19

VA

Proposed Rule Stage

**2907. • INFORMED CONSENT—
DESIGNATE HEALTH CARE
PROFESSIONALS TO OBTAIN
INFORMED CONSENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 1721; 38 USC 7331 to 7334**CFR Citation:** 38 CFR 17.32**Legal Deadline:** None**Abstract:** This document would amend VA medical regulations on informed consent. The proposed rule authorizes VA to designate additional categories of appropriately trained health care professionals to obtain informed consent and sign the consent form.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

varegulations@va.gov

Agency Contact: Ruth Cecire Ph.D., Policy Analyst, Department of Veterans Affairs, National Center for Ethics in HC (10E), 810 Vermont Avenue NW, Washington, DC 20420

Phone: 202 501-2012

Fax: 202 501-2238

Email: ruth.cecire@va.gov

Related RIN: Related to 2900-AM19**RIN:** 2900-AM21**2908. • CIVILIAN HEALTH AND
MEDICAL PROGRAM OF THE
DEPARTMENT OF VETERANS
AFFAIRS (CHAMPVA)—EXPANSION
OF BENEFIT COVERAGE FOR
ENURETIC DEVICES AND CERTAIN
PROSTHESES AND DELEGATIONS OF
AUTHORITY****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-85, sec 702; PL 105-17, sec 640; 38 USC 1781**CFR Citation:** 38 CFR 17.270 to 17.278**Legal Deadline:** None**Abstract:** This document proposes to expand beneficiary coverage for certain prostheses; e.g., noses, ears, and fingers, used in the medically necessary treatment of certain medical conditions and removes from exclusions, enuretic devices, as provided under the CHAMPVA Program. Additionally, this proposed rule would provide clarification of the delegation of authority related to timely claim filing and the claim appeals/review process. Since Public Law 107-135 redesignates CHAMPVA authority in 38 U.S.C. 1713 to 38 U.S.C. 1781, this document would also revise the authority citations for the CHAMPVA regulations.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

varegulations@va.gov

Agency Contact: Richard Trabert, Policy and Compliance Division, Department of Veterans Affairs, VA Health Administration Center, P.O. Box 65020, Denver, CO 80206-9023
Phone: 303 331-7549
Email: richard.trabert@med.va.govKevin Jobs, Policy and Compliance Division, Department of Veterans Affairs, VA Health Administration Center, P.O. Box 65020, Denver, CO 80206-9023
Phone: 303 331-7664

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RIN: 2900-AM22**2909. CIVILIAN HEALTH AND
MEDICAL PROGRAM OF THE
DEPARTMENT OF VETERANS
AFFAIRS (CHAMPVA): PREVENTIVE
SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1781**CFR Citation:** 38 CFR 17.272(a)(31); 38 CFR 17.272(a)(41)**Legal Deadline:** None**Abstract:** This proposed rule would amend VA's medical regulations by removing the exclusion for preventive services. CHAMPVA is proposing these changes to permit coverage of preventive services that are considered medically necessary and appropriate within the medical community and reflect modern medical practice that is supported by current medical literature.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

varegulations@va.gov

Agency Contact: Richard Trabert, Policy and Compliance Division, Department of Veterans Affairs, VA Health Administration Center, P.O. Box 65020, Denver, CO 80206-9023
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Email: richard.trabert@med.va.govKevin Jobs, Policy and Compliance Division, Department of Veterans Affairs, VA Health Administration Center, P.O. Box 65020, Denver, CO 80206-9023
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RIN: 2900-AM23

VA

**VETERANS BENEFITS
ADMINISTRATION****2910. 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 proposed rule amendment will bring VA's educational assistance regulations into agreement with the Veterans Program Enhancement Act of 1998 and Veterans Education and Expansion Act of 2001. This amendment will include 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. This rule is being amended to reflect additional work study opportunities provided under the Veterans Education and Benefits Expansion Act of 2001.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Lynn M. Nelson, Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7294
Fax: 202 275-2636
Email: lynn.nelson@vba.va.gov

RIN: 2900-AJ68**2911. VETERANS AND DEPENDENTS
EDUCATION: TOPPING-UP TUITION
ASSISTANCE; LICENSING AND
CERTIFICATION TESTS; DUTY TO
ASSIST EDUCATION CLAIMANTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3014; 38 USC 3015; 38 USC 3034; 38 USC 3241; 38 USC 3471; 38 USC 3513; 38 USC 3501**CFR Citation:** 38 CFR 21.1029 to 21.1033; 38 CFR 21.4005; 38 CFR 21.4008; 38 CFR 21.4009; 38 CFR 21.4146**Legal Deadline:** None

Abstract: Regulations implementing provisions of the Veterans Benefits and Health Care Improvement Act of 2000, Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and the Veterans Claims Assistance Act of 2000 that affect VA education benefits programs. These provisions include payment under Survivors' and Dependents' Educational Assistance Program, Post-Vietnam Era Veterans Educational Assistance Program, and the Montgomery GI Bill—Active Duty Program for the costs of taking tests needed to obtain a license or certification. They also include payment of benefits under the Montgomery GI Bill—Active Duty Program of the difference between the portion of tuition and fees covered by the tuition assistance program administered by the various military departments and the actual charges made by an educational institution. The proposed rule also establishes clear guidelines consistent with the intent of Congress regarding the timing and scope of assistance VA will provide to a claimant who files a substantially complete application for benefits under any of the education programs VA administers or who tries to reopen a previously denied claim.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Lynn M. Nelson, Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7294
Fax: 202 275-2636
Email: lynn.nelson@vba.va.gov

RIN: 2900-AK80**2912. ADMINISTRATION OF VA
EDUCATION BENEFITS—
CENTRALIZED CERTIFICATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3672; 38 USC 3675; 38 USC 3676**CFR Citation:** 38 CFR 21.4266**Legal Deadline:** None

Abstract: This document withdraws a proposed rule published in the Federal Register on June 30, 2003, at 68 FR 38657, to amend the Department of Veterans Affairs (VA) rules governing certification of enrollment in approved courses for the training of veterans and other eligible persons under education benefit programs VA administers. Based on the public comments received, we have determined that a revised proposed rule is necessary to develop a better proposed regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/30/03	68 FR 38657
NPRM Comment Period End	09/29/03	
Second NPRM	11/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Lynn M. Nelson, Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7294
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Email: lynn.nelson@vba.va.gov

RIN: 2900-AL43

VA

Proposed Rule Stage

2913. SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM ELIGIBILITY PERIOD FOR ELIGIBLE CHILDREN AND OTHER MISCELLANEOUS ISSUES**Priority:** Substantive, Nonsignificant**Legal Authority:** 10 USC 2141; 38 USC 101(4)(a); 38 USC 501(a); 38 USC 512; 38 USC 3002(3); 38 USC 3500 to 3566; 38 USC 5113; PL 106-419; PL 107-14; ...**CFR Citation:** 38 CFR 21.3021; 38 CFR 21.3041; 38 CFR 21.4131**Legal Deadline:** None**Abstract:** The Department of Veterans Affairs is proposing to amend its education regulations to reflect changes in the eligibility period for children due to statutory provisions in Veterans Benefits and Health Care Improvement Act of 2000 and the Veterans Benefits and Expansion Acts of 2001 and 2002.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov**Agency Contact:** Lynn M. Nelson, Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7294
Fax: 202 275-2636
Email: lynn.nelson@vba.va.gov**RIN:** 2900-AL44**2914. BURIAL BENEFITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 101(2); 38 USC 501; 38 USC 2301 to 2305; 38 USC 2307 to 2308; 38 USC 5101; 38 USC 5303(c); 38 USC 6103 to 6105**CFR Citation:** 38 CFR 3; 38 CFR 5**Legal Deadline:** None**Abstract:** The Department of Veterans Affairs (VA) proposes to amend its compensation and pension regulations relating to monetary burial benefits. These revisions are proposed as part of VA's rewrite and reorganization of all

of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	02/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov**Agency Contact:** Clay H. Witt, Chief, Regulation Rewrite Project (00REG2), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-9838
Fax: 202 273-9026
Email: clay.witt@va.gov**Related RIN:** Related to 2900-AL67**RIN:** 2900-AL72**2915. RULES ON APPORTIONMENTS TO DEPENDENTS; PAYMENTS TO FIDUCIARIES AND INCARCERATED BENEFICIARIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 5101; 38 USC 5110; 38 USC 5112; 38 USC 5307; 38 USC 5313B**CFR Citation:** 38 CFR 3; 38 CFR 5**Legal Deadline:** None**Abstract:** This document proposes to amend the Department of Veterans Affairs (VA) adjudication rules that concern the award and administration of VA benefits to incarcerated veterans, their dependents, and fugitive felons; the award and administration of compensation to certain incompetent veterans; and the apportionment of benefits to dependents. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov**Agency Contact:** Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov**Related RIN:** Related to 2900-AL67**RIN:** 2900-AL74**2916. REGULATIONS RELATED TO PAYMENTS AND ADJUSTMENTS TO PAYMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 1151; 38 USC 1161; 38 USC 1312; 38 USC 1317; 38 USC 1521; 38 USC 5103; 38 USC 5103; 38 USC 5110; 38 USC 5112; 38 USC 5301; 38 USC 5304 and, 5305; 42 USC 2210 (note)**CFR Citation:** 38 CFR 3; 38 CFR 5**Legal Deadline:** None**Abstract:** The Department of Veterans Affairs (VA) proposes to amend its compensation and pension regulations that relate to setting the rates of payments, adjustments and resumptions of payments, and elections between benefits. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov**Agency Contact:** Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov**Related RIN:** Related to 2900-AL67**RIN:** 2900-AL75

VA

Proposed Rule Stage

2917. CLAIMS BASED ON SERVICE IN THE PHILIPPINE ARMED FORCES**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 107; 38 USC 501; 38 USC 3565; 38 USC 5112**CFR Citation:** 38 CFR 3; 38 CFR 5; ...**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its compensation and pension regulations that apply to Filipino veterans and their survivors. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AL76**2918. VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAM—STATUTORY AMENDMENTS, U.S. COURT OF APPEALS FOR VETERANS CLAIMS DECISIONS, POLICY REVISIONS, AND READER-FOCUSED PLAIN ENGLISH REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3100 to 3121; PL 102-568; PL 104-275; PL 106-419; PL 107-103**CFR Citation:** 38 CFR 21, subpart A**Legal Deadline:** None

Abstract: This document proposes to amend the regulations in 38 CFR part 21, subpart A—Vocational Rehabilitation under 28 U.S.C. chapter 31. These proposed regulations implement statutory and judicially mandated changes. These changes

include amended entitlement criteria to provide vocational rehabilitation program services to a veteran with a 10 percent service-connected disability if the veteran has a serious employment handicap. Changes to entitlement criteria require that service-connected disability contribute in substantial part to a veteran's vocational impairment to entitle the veterans or servicemember to a program of rehabilitation services to overcome or lessen the effect of that impairment. Some proposed revisions correct earlier language that did not properly interpret the intent of the statute. Other proposed revisions to the regulations are intended to simplify program administration. Finally, the document proposes a completely rewritten text of subpart A in reader-focused plain English for improved readability.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Catherine Kruger, Supervisor of Regulations & Legislative Initiatives (28), Department of Veterans Affairs, Vocational Rehabilitation & Employment Services, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7412

RIN: 2900-AL78**2919. SPECIAL AND ANCILLARY BENEFITS FOR VETERANS, DEPENDENTS, AND SURVIVORS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 10 USC 1448; 10 USC 6160; 38 USC 501(a); 38 USC 1160; 38 USC 1312; 38 USC 1323; 38 USC 1805; 38 USC 1811 to 1816; 38 USC 1821 to 1824; 38 USC 2101; 38 USC 2104; 38 USC 3501; 38 USC 5101; 38 USC 5110 to 5112; 38 USC 5304; PL 425; PL 97-377; ...**CFR Citation:** 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its compensation and pension regulations

that govern the award and administration of special benefits for veterans, dependents and survivors, including ancillary benefits relating to service connection (e.g., financial assistance in purchasing a vehicle and/or adaptive equipment). These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AL84**2920. GENERAL PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 101; 38 USC 501(a); 38 USC 4303(16); PL 107-116**CFR Citation:** 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs proposes to amend its regulations concerning general provisions applicable to its compensation and pension regulations, including definitions. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

VA

Proposed Rule Stage

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67

RIN: 2900-AL87

2921. SPECIAL RATINGS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 2108; 38 USC 101(16); 38 USC 105; 38 USC 501(a); 38 USC 1110; 38 USC 1114; 38 USC 1115(i)(E); 38 USC 1702; 38 USC 1712; 38 USC 4331; 38 USC 5110(b); 38 USC 5503; ...

CFR Citation: 38 CFR 3; 38 CFR 5

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposed to amend its regulations relating to special ratings and ratings for health care eligibility only. We propose to reorganize these regulations in a more logical order, add new section and paragraph headings, rewrite certain sections and divide certain sections into two or more separate new regulations. VA's principal goals in rewriting and reorganizing the current regulations are to provide readers with clearer language and more easily understood regulation requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67

RIN: 2900-AL88

2922. DEPENDENCY AND INDEMNIFY COMPENSATION BENEFITS

Priority: Other Significant

Legal Authority: 38 USC 101(14); 38 USC 103(b); 38 USC 501(a); 38 USC 1121; 38 USC 1122(b); 38 USC 1141; 38 USC 1304; 38 USC 1310; 38 USC 1311(c), (d); 38 USC 1313; 38 USC 1315; 38 USC 1318(e), (d); 38 USC 5110; 38 USC 5312; ...

CFR Citation: 38 CFR 5

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) has published a series of Notices of Proposed Rulemaking (NPRM)s setting out new proposed regulations governing VA compensation, pension, burial, and related benefits that would be located in a new part of the Code of Federal Regulations. This NPRM adds proposed regulations concerning dependency and indemnity compensation (DIC) for a veteran's surviving spouse, children, and parents and general rules relating to proof of death and service-connected cause of death to that proposed new part. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Clay H. Witt, Chief, Regulation Rewrite Project (00REG2), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420

Phone: 202 273-9838

Fax: 202 273-9026

Email: clay.witt@va.gov

Related RIN: Related to 2900-AL67

RIN: 2900-AL89

2923. LOAN GUARANTY: AMENDMENTS TO HYBRID ADJUSTABLE RATE MORTGAGES

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 501(a); 38 USC 3703(c)(1)

CFR Citation: 38 CFR 36.4212

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its loan guaranty regulations concerning hybrid adjustable rate mortgages. Under current regulations, an adjustable rate mortgage may be refinanced to a fixed rate loan bearing a higher interest rate. This rule would provide that, during the initial fixed rate period of a hybrid adjustable rate mortgage, the loan may not be refinanced with a fixed rate loan bearing interest at a higher rate than that initially charged on the hybrid adjustable rate mortgage, except during the last 12 months.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: William White, Acting Assistant Director for Policy and Valuation (262), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
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Fax: 202 275-3523

Email: william.white@vba.va.gov

RIN: 2900-AL92

2924. DEPENDENTS OF VETERANS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 101(3); 38 USC 101(31); 38 USC 103(c); 38 USC 5110(f); 38 USC 5112; PL 91-376; PL 93-527; PL 101-508; PL 102-86

CFR Citation: 38 CFR 3; 38 CFR 5

Legal Deadline: None

Abstract: The Department of Veterans Affairs proposes to amend its compensation and pension regulations relating to dependents of veterans. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

VA

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AL94**2925. PAYMENTS TO BENEFICIARIES WHO ARE ELIGIBLE FOR MORE THAN ONE BENEFIT****Priority:** Substantive, Nonsignificant

Legal Authority: 10 USC 1174; 10 USC 12316; 38 USC 501(a); 38 USC 1501(a); 38 USC 5104; 38 USC 5110; 38 USC 5304; 42 USC 2210 note

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations relating to the payments to beneficiaries who are eligible for more than one benefit. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AL95**2926. GENERAL EVIDENCE REQUIREMENTS, EFFECTIVE DATES, REVISION OF DECISIONS, AND PROTECTION OF EXISTING RATINGS****Priority:** Substantive, Nonsignificant

Legal Authority: 38 USC 111; 38 USC 501(a); 38 USC 1110; 38 USC 1117; 38 CFR 1131; 38 CFR 1155; 38 CFR 1159; 38 CFR 5104; 38 CFR 5110; 38 CFR 5112; . . .

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs proposes to amend its compensation and pension regulations that apply to general evidence requirements, general effective dates for new awards, revision of decisions, and protection of existing ratings, for purposes of compensation and pension benefits. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

RIN: 2900-AM01**2927. IMPROVED PENSION****Priority:** Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1502 to 1503; 38 USC 1508; 38 USC 1521 to 1522; 38 USC 1541 to 1542; 38 USC 1718; 38 USC 5303A; 10 USC 1448; 42 USC 300c-22(note); 42 USC 7385; PL 100-456

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs proposes to amend its

adjudication regulations that concern improved pension. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AM04**2928. MATTERS AFFECTING RECEIPT OF BENEFITS****Priority:** Substantive, Nonsignificant

Legal Authority: 38 USC 105; 38 USC 501; 38 USC 1110; 38 USC 1131; 38 USC 1521; 38 USC 1901 to 1929; 38 USC 5110; 38 USC 5112; 38 USC 6103; 38 USC 6104; 38 USC 6105; . . .

CFR Citation: 38 CFR 3; 38 CFR 5; 38 CFR 6.22; 38 CFR 8.34

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language regulations relating to determinations involving bars to benefits, forfeiture of benefits, and renouncement of benefits. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimant and VA personnel in locating and understanding these provisions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** No

VA

Proposed Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AM05**2929. PAYMENTS AND ADJUSTMENTS TO PAYMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its regulations relating to payment of VA benefits and adjustments to payments. These revisions are proposed as part of VA's reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AM06**2930. SERVICE-CONNECTED DISABILITY COMPENSATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite its regulations concerning VA's service-connected disability compensation program. These revisions are proposed as part of VA's reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
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Related RIN: Related to 2900-AL67**RIN:** 2900-AM07**2931. TRANSFER OF MONTGOMERY GI BILL—ACTIVE DUTY ENTITLEMENT TO DEPENDENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 3020; 38 USC 3015(d)(1)

CFR Citation: 38 CFR 21.7020; 38 CFR 21.7050; 38 CFR 21.7080; 38 CFR 21.7131; 38 CFR 21.7135; 38 CFR 21.7136; 38 CFR 21.7137; 38 CFR 21.7139

Legal Deadline: None

Abstract: This proposed rule proposes to amend Department of Veterans Affairs' (VA) education regulations to include rules for use of transferred Montgomery GI Bill-Active Duty (MGIB) entitlement. Provisions in the National Defense Authorization Act for Fiscal Year 2002 permit the Department of Defense to offer individuals in the Armed Forces, who have critical military skills, the option to transfer up

to 18 months of their MGIB entitlement to their dependents. The rule includes a provision in the Bob Stump National Defense Authorization Act for Fiscal Year 2003 that clarifies the rate of payment of educational assistance for dependents to whom entitlement is transferred. In addition, the rule proposes to amend regulations to reflect an increase in the maximum amount for the college fund program that was provided in the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

Timetable:

Action	Date	FR Cite
NPRM	05/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Lynn M. Nelson, Education Advisor (225C), Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7294
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RIN: 2900-AM12**2932. VA BENEFITS CLAIMS****Priority:** Other Significant

Legal Authority: 38 USC 501(a); 38 USC 5101; 38 USC 5102; 38 USC 5103A; 38 USC 5108; 38 USC 5110; 38 USC 7105

CFR Citation: 38 CFR 3; 38 CFR 5; 38 CFR 20**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to add regulations concerning claims for VA benefits to its new regulations governing VA compensation, pension, burial, and related benefits. These revisions are proposed as part of VA's rewrite and reorganization of those rules in a logical, claimant-focused, and more user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these claims provisions.

VA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

Related RIN: Related to 2900-AL67**RIN:** 2900-AM16**2933. • VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAM—INITIAL EVALUATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a); 38 USC 3101, 3102, 3103, 3106, 3111; 38 USC 101, 501, 512, ; 38 USC 1151 note, 1802, 1804-805, 1811, 1811 note, 1812, 1814, 1816, 1821 to 1824, 5112**CFR Citation:** 38 CFR 21.50; 38 CFR 21.51; 38 CFR 21.52; 38 CFR 21.8032**Legal Deadline:** None

Abstract: This document proposes to amend regulations of the Department of Veterans Affairs (VA) concerning initial evaluations of individuals who apply for vocational rehabilitation and employment benefits. These proposed regulations are intended to reflect changes in law, to improve readability, and to make other nonsubstantive changes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

www.regulations.gov

URL For Public Comments:

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Agency Contact: Catherine Kruger, Supervisor of Regulations & Legislative Initiatives (28), Department of Veterans Affairs, Vocational Rehabilitation & Employment Services, Veterans Benefits Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7412

RIN: 2900-AM25**2934. • ACCRUED BENEFITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 5121**CFR Citation:** 38 CFR 3.1000**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its adjudication regulation regarding accrued benefits. The proposed amendments would make regulatory provisions consistent with statutory changes and would clarify existing regulatory provisions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Maya Ferrandino, Consultant, C&P (211A), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-7211
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Email: capmferr@vba.va.gov

RIN: 2900-AM28**OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT****2935. DEPARTMENT OF VETERANS AFFAIRS ACQUISITION REGULATIONS PLAIN LANGUAGE REWRITE****Priority:** Other Significant**Legal Authority:** 38 USC 501; 40 USC 121(c); 38 USC 8153**CFR Citation:** 48 CFR 8**Legal Deadline:** None

Abstract: This rulemaking action would amend the Department of

Veterans Affairs acquisition regulation to update position titles, to remove obsolete or duplicative material, to delegate authority, and to make plain language revisions to the text. In addition, the rule would update material to correspond to the requirements of the Federal Acquisition Regulation (FAR) and would provide agency procedures for compliance with FAR requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Donald E. Kaliher, Senior Procurement Analyst (0495A), Department of Veterans Affairs, Office of Acquisition & Materiel Management, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-8819
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RIN: 2900-AK78

VA

BOARD OF VETERANS APPEALS**2936. • BOARD OF VETERANS' APPEALS: REMAND OR REFERRAL TO THE AGENCY OF ORIGINAL JURISDICTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 19.9**Legal Deadline:** None**Abstract:** The Department of Veterans Affairs proposes to amend its

regulations governing appeals to the Board of Veterans' Appeals to clarify when referral of pending claims to the Agency of Original Jurisdiction (AOJ) is appropriate and when remand for the limited purpose of ordering the AOJ to provide the claimant with a Statement of the Case is appropriate.

Timetable:

Action	Date	FR Cite
NPRM	08/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:** www.regulations.gov**Agency Contact:** Steven L. Keller, Senior Deputy Vice Chairman, Board of Veterans Appeals, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 565-5978**RIN:** 2900-AM30**COMPENSATION AND PENSION SERVICE****2937. APPLICATIONS, CLAIMS, AND NOTICE REQUIREMENTS****Priority:** Other Significant**Legal Authority:** 38 USC 501(a); 38 USC 5103; 38 USC 5103A**CFR Citation:** 38 CFR 3.1; 38 CFR 3.159**Legal Deadline:** None**Abstract:** The Department of Veterans Affairs (VA) proposes to amend its adjudication regulation defining "claim" and "application" to make it clearer and consistent with recent

statutory changes. We also propose to revise the regulation governing VA's duty to provide a claimant with notice of the information and evidence necessary to substantiate a claim as required under 38 U.S.C. 5103(a). The purpose of these proposed changes is to clarify when VA's duty to notify a claimant of how to substantiate a claim for benefits arises under 38 U.S.C. 5103(a), the responsibilities of claimants to substantiate a claim, and the effect of various actions of the parties relating to substantiating a claim.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:** www.regulations.gov**Agency Contact:** Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov**RIN:** 2900-AM17**OFFICE OF THE GENERAL COUNSEL****2938. • ACCREDITATION OF SERVICE ORGANIZATION REPRESENTATIVES****Priority:** Other Significant**Legal Authority:** 5 USC 301; 28 USC 2671 to 2680; 38 USC 501(a), 512; 38 USC 515, 5502; 38 USC 5902 to 5905; 28 CFR 14; 28 CFR 14, appendix**CFR Citation:** 38 CFR 14.629, 14.633**Legal Deadline:** None**Abstract:** The Department of Veterans Affairs (VA) proposes to amend regulations governing accreditation of service organization representatives of claimants for veterans' benefits. Specifically, VA proposes to add the following requirements to 38 CFR 14.629 and 14.633: That recognized organizations periodically recertify the qualifications of the accredited

representatives of the organization and that any recognized organization requesting cancellation of a representative's accreditation inform VA if the reason for the cancellation request is misconduct or lack of competence on the part of the representative, or if a representative is resigning to avoid cancellation of accreditation for misconduct or lack of competence. We would also clarify that the authority to cancel accreditation includes the authority to suspend accreditation for a period of time. Suspension may be appropriate in cases involving extenuating circumstances or where misconduct is not so severe. The purpose of these proposed changes is to ensure that claimants for veterans' benefits have responsible, qualified representation in the preparation, presentation, and prosecution of claims.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:** www.regulations.gov**Agency Contact:** Michelle D.D. Bernstein, Staff Attorney, Department of Veterans Affairs, 810 Vermont Ave NW, Washington, DC 20420
Phone: 202 273-6326
Email: michelle.bernstein@mail.va.gov**RIN:** 2900-AM29

Department of Veterans Affairs (VA)

Final Rule Stage

**VETERANS HEALTH
ADMINISTRATION****2939. ADVANCED HEALTH CARE
PLANNING****Priority:** Other Significant**Legal Authority:** 38 USC 501; 38 USC 1721**CFR Citation:** 38 CFR 17.32**Legal Deadline:** None

Abstract: This document amends the VA medical regulations to codify VA policy regarding advanced health care planning. The 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 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	10/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov

Agency Contact: Ruth Cecire Ph.D., Policy Analyst, Department of Veterans Affairs, National Center for Ethics in HC (10E), 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 501-2012
Fax: 202 501-2238
Email: ruth.cecire@va.gov

RIN: 2900-AJ28**2940. GRANTS TO STATES FOR
CONSTRUCTION AND ACQUISITION
OF STATE HOME FACILITIES****Priority:** Other Significant**Legal Authority:** 38 USC 501; 38 USC 1721**CFR Citation:** 38 CFR 17.216; 38 CFR 17.222**Legal Deadline:** None

Abstract: This rule amends 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. This 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
Interim Final Rule	06/26/01	66 FR 33845
Interim Final Rule Comment Period End	08/27/01	
Final Action	12/00/05	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** State**URL For Public Comments:**
www.regulations.gov

Agency Contact: Frank Salvas, Geriatrics and Extended Care (114), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-8536

RIN: 2900-AJ43**2941. ENROLLMENT—PROVISION OF
HOSPITAL AND OUTPATIENT CARE
TO VETERANS—SUBPRIORITIES OF
PRIORITY CATEGORIES 7 AND 8 AND
ENROLLMENT LEVEL DECISION****Regulatory Plan:** This entry is Seq. No. 99 in part II of this issue of the **Federal Register**.**RIN:** 2900-AL51**2942. PATIENTS' RIGHTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501; 38 USC 1721**CFR Citation:** 38 CFR 17.33**Legal Deadline:** None

Abstract: This document amends the Department of Veterans Affairs' medical regulations that set forth patients' rights to clarify that it is legally permissible

for VA patients to receive medication prescribed by any health care professional legally authorized to prescribe medication.

Timetable:

Action	Date	FR Cite
NPRM	08/09/04	69 FR 48148
NPRM Comment Period End	10/08/04	69 FR 48184
Final Action	10/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov

Agency Contact: Audrey Crenshaw Drake, Program Director Nursing (108), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW, Washington, DC 20420

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RIN: 2900-AL66**2943. MEDICATION PRESCRIBED BY
NON-VA PHYSICIANS****Priority:** Other Significant**Legal Authority:** 38 USC 1706; 38 USC 1710; 38 USC 1712(d); 38 USC 1721**CFR Citation:** 38 CFR 17.96**Legal Deadline:** None

Abstract: The Department of Veterans Affairs is amending its medical regulations that govern the provision of medication to veterans when the medication is prescribed by non-VA physicians. The rule provides that, in limited circumstances, VA may provide medication prescribed by a non-VA physician to veterans enrolled in VA's health-care system prior to July 25, 2003, if the veterans have requested an initial appointment for primary care in a VA health care facility before July 25, 2003, and were unable to obtain an initial appointment for primary care within 30 days. The rule establishes specific requirements that veterans must meet to receive such medication, and it establishes limits on the types and quantities of medication VA may provide. VA's intent is to assist enrolled veterans who have requested primary care appointments but who have not been able to obtain one within 30 days.

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Timetable:

Action	Date	FR Cite
Interim Final Rule	07/25/03	68 FR 43927
Interim Final Rule Effective	07/25/03	
Interim Final Rule Comment Period End	08/25/03	
Final Action	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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RIN: 2900-AM11

RIN: 2900-AL68

2944. ELIGIBILITY FOR HEALTH CARE BENEFITS FOR CERTAIN FILIPINO VETERANS IN THE UNITED STATES**Priority:** Other Significant**Legal Authority:** PL 108-170**CFR Citation:** 38 CFR 17.39**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its medical regulations regarding veterans who are eligible to receive health care from VA. VA is proposing to amend the regulations to include Filipino Commonwealth Army veterans who were recognized by authority of the U.S. Army as belonging to organized Filipino guerilla forces and New Philippine Scouts who reside in the U.S. and who are citizens or lawfully admitted for permanent residence as eligible for hospital care, nursing home care, and outpatient medical services in the United States in the same manner and subject to the same terms and

conditions as apply to U.S. veterans. This amendment will allow those veterans to receive health care. VA is authorized to implement these provisions under the "Veterans Health Care, Capital Asset, and Business Improvement Act of 2003," Public Law 108-170.

Timetable:

Action	Date	FR Cite
NPRM	01/11/05	70 FR 1841
NPRM Comment Period End	03/14/05	
Final Action	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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Phone: 202 254-0406

RIN: 2900-AM03

2945. ELIMINATION OF CO-PAY FOR SMOKING CESSATION COUNSELING**Priority:** Other Significant**Legal Authority:** 38 USC 501**CFR Citation:** 38 CFR 17.108**Legal Deadline:** None

Abstract: This interim final rule will amend VA regulations so that a co-pay is no longer required of veterans to participate in individual and group smoking cessation counseling. Eliminating the co-pay for smoking cessation counseling has strong potential to increase participation and thus improve veterans' health.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/02/05	70 FR 22595
Interim Final Rule Comment Period End	07/01/05	
Final Action	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Eileen Downey, Chief Business Office (161), Department of Veterans Affairs, Veterans Health Administration, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 254-0347

RIN: 2900-AM11

2946. GRANTS FOR THE HIRING AND RETENTION OF NURSES IN THE STATE HOME PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 101; 38 USC 501; 38 USC 1744**CFR Citation:** 38 CFR 53**Legal Deadline:** None

Abstract: This document establishes a new part to set forth the mechanism for a State to obtain payments from VA to assist a State home in the hiring and retention of nurses for the purpose of reducing nursing shortages at that home. This implements provisions of the Veterans Health Programs Improvement Act of 2004.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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RIN: 2900-AM26

VA

**VETERANS BENEFITS
ADMINISTRATION****2947. TOTAL DISABILITY
EVALUATIONS BASED ON INABILITY
OF THE INDIVIDUAL TO ENGAGE IN
SUBSTANTIALLY GAINFUL
EMPLOYMENT****Priority:** Substantive, Nonsignificant**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 amends 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	10/01/01	66 FR 49886
NPRM Comment Period End	11/30/01	
Final Action	11/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov

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RIN: 2900-AH21**2948. SCHEDULE FOR RATING
DISABILITIES—THE EYE****Priority:** Other Significant**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.75**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is amending that portion of its Schedule for Rating Disabilities that addresses disabilities of the eye. The intended effect of this action is to update this portion of the rating schedule to ensure that it uses current medical terminology and unambiguous criteria and that it reflects medical advances that have occurred since the last review.

Timetable:

Action	Date	FR Cite
NPRM	05/11/99	64 FR 25246
NPRM Comment Period End	07/12/99	
Final Action	12/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov

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Phone: 202 273-7211
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RIN: 2900-AH43**2949. 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 decision by the U.S. Court of Appeals for Veterans Claims 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	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

RIN: 2900-AI42**2950. DEFINITION OF PSYCHOSIS
FOR CERTAIN VA PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 3.384**Legal Deadline:** None

Abstract: This document amends the Department of Veterans Affairs adjudication regulations to define the term "psychosis." The term is used but not defined in certain statutes that provide presumptive service connection for compensation or health care purposes.

Timetable:

Action	Date	FR Cite
NPRM	10/11/02	67 FR 63352
NPRM Comment Period End	12/10/02	
Final Action	12/00/05	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**
www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
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RIN: 2900-AK21**2951. FILIPINO VETERANS' BENEFIT
IMPROVEMENTS****Priority:** Other Significant**Legal Authority:** 38 USC 107

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CFR Citation: 38 CFR 3.8; 38 CFR 3.10; 38 CFR 3.1600

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs (VA) adjudication regulations to reflect changes made by the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2001, which changed the rate of compensation payments to certain Filipino veterans residing in the U.S., and the Veterans Benefits and Health Care Improvement Act of 2000, which changed the amount of the burial benefit paid to the survivors of certain Filipino veterans who were residing in the U.S. at the time of their deaths. This also adds the provisions of the Veterans Benefits Act of 2003 to change the rate of compensation and burial benefits paid to new Filipino scouts residing in the U.S.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/27/01	66 FR 66763
Interim Final Rule Effective	12/27/01	
Interim Final Rule Comment Period End	02/25/02	
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

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Related RIN: Related to 2900-AL76

RIN: 2900-AK65

2952. SCHEDULE FOR RATING DISABILITIES; GUIDELINES FOR APPLICATION OF EVALUATION CRITERIA FOR CERTAIN RESPIRATORY AND CARDIOVASCULAR CONDITIONS; EVALUATION OF HYPERTENSION WITH HEART DISEASE

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.104

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs (VA) Schedule for Rating Disabilities, 38 CFR part 4, in order to clarify the evaluation of certain respiratory and cardiovascular conditions and to explain that hypertension and hypertensive or other heart diseases will be separately evaluated. The intended effect of this amendment is to clarify the use of the current criteria for evaluating respiratory and cardiovascular conditions, particularly in cases where alternative criteria are provided, in order to ensure that veterans receive consistent evaluations and are not required to undergo unnecessary tests.

Timetable:

Action	Date	FR Cite
NPRM	08/22/02	67 FR 54394
NPRM Comment Period End	10/21/02	
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

RIN: 2900-AL26

2953. VETERANS EDUCATION: VETERANS EDUCATION AND BENEFITS EXPANSION ACT OF 2001

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 3511; 38 USC 3512; 38 USC 3540; 38 USC 3543; 38 USC 3672; 38 USC 3675; 38 USC 3680A; 38 USC 3011(c)

CFR Citation: 38 CFR 21.3045; 38 CFR 21.3046; 38 CFR 21.3104; 38 CFR 21.3300; 38 CFR 21.3301; 38 CFR 21.3302; 38 CFR 21.3303; 38 CFR 21.3305; 38 CFR 21.3306

Legal Deadline: None

Abstract: Final regulations implementing some of the provisions in the Veterans Education and Benefits

Expansion Act of 2001. The provisions are: Restoring benefits for individuals ordered to active duty on or after September 11, 2001; an additional opportunity for Vietnam Era Veterans to qualify for benefits under the Montgomery GI Bill program; establishing an ending date to the eligibility period for spouses under the Survivors' and Dependents' Educational Assistance program; expanding special restorative training benefits to include certain disabled spouses and surviving disabled spouses; allowing payment of education benefits for distance learning courses that are part of a certificate program offered by institutions of higher learning; and increasing the amount of scholarship funds someone in a Senior Reserve Officer Training Corps program can receive and remain eligible under the Montgomery GI Bill.

Timetable:

Action	Date	FR Cite
Final Action	06/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

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RIN: 2900-AL28

2954. SCHEDULE FOR RATING DISABILITIES; EVALUATION OF MULTIPLE SCARS

Priority: Substantive, Nonsignificant

Legal Authority: 38 USC 1155

CFR Citation: 38 CFR 4.118

Legal Deadline: None

Abstract: The Department of Veterans Affairs is amending its Schedule for Rating Disabilities; Multiple Scars. The current rating schedule provides an evaluation level of 10 percent under Diagnostic Code 7803 for multiple superficial unstable scars and an evaluation level of 10 percent under Diagnostic Code 7804 for multiple superficial painful scars. The current

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rating schedule provides no guidance on whether each painful or each unstable scar no matter how small or close together should be separately evaluated. The current rating schedule is silent as to whether one scar can be rated more than once under diagnostic codes 7802, 7803, and/or 7804. This regulatory amendment replaces the concept of "widely separated areas" by defining and using the concept of "separate anatomical location." This regulatory amendment instructs adjudicators in the following: How to evaluate scars which traverse separate anatomical locations; how to evaluate multiple scars in a separate anatomical locations; how to evaluate scars which satisfy evaluation criteria for two or more of the following diagnostic codes: 7802, 7803, and 7804; and how to evaluate multiple scars of the head, face, and neck where there is also disfigurement in this area. Each diagnostic code has been retitled; within Diagnostic Code 7800, we have included all aspects of scars and/or disfigurement of the head, face, and neck; therefore, the titles to the remaining scar codes now include the words "Scars, other than those of the head, face, and neck region."

Timetable:

Action	Date	FR Cite
NPRM	10/29/02	67 FR 65915
NPRM Comment Period End	12/30/02	
Final Action	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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Phone: 202 273-7211
Email: capbruss@vba.va.gov

RIN: 2900-AL32**2955. LOAN GUARANTY; LOAN SERVICING AND CLAIMS PROCEDURES MODIFICATION****Priority:** Other Significant**Legal Authority:** 38 USC 501; 38 USC 3720; 38 USC 3732; 38 USC 3736

CFR Citation: 38 CFR 36.4301; 38 CFR 36.4306a; 38 CFR 36.4311; 38 CFR 36.4313 to 4321; 38 CFR 36.4324 to 4325; 38 CFR 36.4330; 38 CFR 36.4344a; 38 CFR 36.4346

Legal Deadline: None

Abstract: The Department of Veterans Affairs is amending its loan guaranty regulations pertaining to the servicing and liquidation of guaranteed housing loans in default and submitting of guaranty claims by loan holders. These proposed changes regarding loan servicing and claims procedures reflect changes in the servicing of VA loans and are necessary to implement new servicing and claims procedures.

Timetable:

Action	Date	FR Cite
NPRM	02/18/05	70 FR 8472
NPRM Comment Period End	04/19/05	
Final Action	04/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**URL For Public Comments:**

www.regulations.gov

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Phone: 202 273-7325
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RIN: 2900-AL65**2956. SERVICE REQUIREMENTS FOR VETERANS****Priority:** Substantive, Nonsignificant

Legal Authority: 38 USC 101(21), (22); 38 USC 106; 38 USC 501(a); 38 USC 1152; 38 USC 1301; 38 USC 1504; 38 USC 1832(b)(2); 38 USC 5101(i); 38 USC 5303(a), (b), (e); PL 95-126; PL 95-202; PL 102-40; ...

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is amending its compensation and pension regulations relating to service requirements for veterans. These revisions are part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	01/30/04	69 FR 4820
NPRM Comment Period End	03/30/04	
Final Action	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

RIN: 2900-AL67**2957. RESERVISTS' EDUCATION: REVISION OF ELIGIBILITY REQUIREMENTS FOR THE MONTGOMERY GI BILL—SELECTED RESERVE****Priority:** Substantive, Nonsignificant

Legal Authority: 10 USC 1606; 10 USC 16133; 38 USC 501; 38 USC 501(a); 38 USC 3031(d); 38 USC 3033(c); 38 USC 3232(a); 38 USC 3512; ...

CFR Citation: 38 CFR 21.1032; 38 CFR 21.7540; 38 CFR 21.7550; 38 CFR 21.7551

Legal Deadline: None

Abstract: This document amends the regulations governing the administration of the Montgomery GI Bill—Selected Reserve (MGIB-SR) program. The amendments implement provisions in the Veterans Benefits and Health Care Improvement Act of 2000 and the Bob Stump National Defense Authorization Act for Fiscal Year 2003. The Veterans Benefits and Health Care Improvement Act of 2000 contained a provision that changed an eligibility criterion concerning the time for obtaining a high school diploma. The Bob Stump National Defense Authorization Act for Fiscal Year 2003 expanded the MGIB-SR eligibility period from 10 years to 14 years for reservists who first become eligible after September 30, 1992.

Timetable:

Action	Date	FR Cite
Final Action	03/00/06	

VA

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Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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RIN: 2900-AL69**2958. PRESUMPTIONS OF SERVICE CONNECTION FOR CERTAIN DISABILITIES AND RELATED MATTERS****Priority:** Substantive, Nonsignificant

Legal Authority: 38 USC 501; 38 USC 1101; 38 USC 1111; 38 USC 1112; 38 USC 1116; 38 USC 1133; 38 USC 1137; PL 98-542

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is amending its adjudication regulations that concern the presumptions of service connection for certain diseases or conditions.

These revisions are part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	07/27/04	69 FR 44614
NPRM Comment Period End	09/27/04	
Final Action	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420

Phone: 202 273-7211

Email: capbruss@vba.va.gov

RIN: 2900-AL70**2959. ADJUDICATION: ACCRUED BENEFITS AND DEATH COMPENSATION BENEFITS****Priority:** Other Significant

Legal Authority: 38 USC 501(a); 38 USC 1121 and 1122; 31 USC 3329 and 3330; 38 USC 5101; 38 USC 5121; . . .

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is amending its compensation and pension regulations relating to accrued and death compensation benefits. These revisions are part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	10/01/04	69 FR 59072
NPRM Comment Period End	11/30/04	
Final Action	10/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420

Phone: 202 273-7211

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Related RIN: Related to 2900-AL67**RIN:** 2900-AL71**2960. DUTIES OF VA; RIGHTS AND RESPONSIBILITIES OF CLAIMANTS AND BENEFICIARIES****Priority:** Other Significant

Legal Authority: 38 USC 1154; 38 USC 1822; 38 USC 5101; 38 USC 5103(a); 38 USC 5104; 38 USC 5109; 38 USC 5112(a); 38 USC 5125; 38 USC 5304; 38 USC 5701(b); . . .

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its compensation and pension regulations that apply to the duties of VA and the

rights and responsibilities of claimants and beneficiaries. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	05/10/05	70 FR 24680
NPRM Comment Period End	07/11/05	
Final Action	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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Related RIN: Related to 2900-AL67**RIN:** 2900-AL82**2961. ELECTIONS OF IMPROVED PENSION; OLD LAW AND SECTION 306 PENSION****Priority:** Other Significant

Legal Authority: 38 USC 503; 38 USC 521(f); 38 USC 522; 38 USC 543; 38 USC 1312(b); 38 USC 1317(b); 38 USC 1521(i); 45 USC 228; PL 86-211; PL 86-212; PL 87-381; PL 95-588; PL 96-272

CFR Citation: 38 CFR 3; 38 CFR 5**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its compensation and pension regulations relating to its "Old-Law" and "Section 306" pension programs, as well as its regulations concerning elections of improved pension. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Timetable:

Action	Date	FR Cite
NPRM	12/27/04	69 FR 77588

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Action	Date	FR Cite
NPRM Comment Period End	02/25/05	
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

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Phone: 202 273-7211
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Related RIN: Related to 2900-AL67**RIN:** 2900-AL83

2962. DEPENDENCY AND INDEMNITY COMPENSATION: SURVIVING SPOUSE'S RATE; PAYMENTS BASED ON VETERANS ENTITLEMENT TO COMPENSATION FOR SERVICE-CONNECTION DISABILITY RATED TOTALLY DISABLING FOR SPECIFIED PERIODS

Priority: Other Significant**Legal Authority:** 38 USC 501(a); 38 USC 1311; 38 USC 1314; 38 USC 1321; 38 USC 7104(b); ...**CFR Citation:** 38 CFR 3.10; 38 CFR 3.22; 38 CFR 20.1106**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize existing regulations governing surviving spouse's rates of dependency and indemnity compensation (DIC) and move them to a new CFR section. The proposed rules would also clarify circumstances in which a survivor may be entitled to DIC under 38 U.S.C. 1311 and 1318 by virtue of the veteran having been "entitled to receive" compensation for a disability that was rated totally disabling for a specified period prior to the veteran's death. The proposed rules would also reissue without change the Board of Veterans' Appeals rule regarding the effect of unfavorable decisions during a veteran's lifetime on claims for death benefits by the veteran's survivors.

Timetable:

Action	Date	FR Cite
NPRM	10/25/04	69 FR 62229

Action	Date	FR Cite
NPRM Comment Period End	12/27/04	
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: David Joseph Barrans, Staff Attorney (022), Department of Veterans Affairs, Office of General Counsel, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 273-6320

RIN: 2900-AL86

2963. PHASE-IN OF FULL CONCURRENT RECEIPT OF MILITARY RETIRED PAY AND VETERANS DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES

Priority: Other Significant**Legal Authority:** 10 USC 1414; 38 USC 501(a); 38 USC 5304 (a); 38 USC 5305**CFR Citation:** 38 CFR 3.750**Legal Deadline:** None

Abstract: VA proposes to update its adjudication regulations to implement the National Defense Authorization Act for Fiscal Year 2004 by including provisions for concurrent receipt of military retired pay and VA disability compensation for eligible veterans. The changes are intended to update 38 CFR part 3.750 so that it is consistent with the new law passed by Congress.

Timetable:

Action	Date	FR Cite
NPRM	07/07/05	70 FR 39213
NPRM Comment Period End	09/06/05	
Final Action	01/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211

Email: capbruss@vba.va.gov

RIN: 2900-AM13**2964. NEW AND MATERIAL EVIDENCE****Priority:** Other Significant**Legal Authority:** 38 USC 501(a)**CFR Citation:** 38 CFR 3.156; 38 CFR 3.400**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is amending its adjudication rules regarding the reconsideration of decisions on claims for benefits based on certain types of evidence, when the evidence is submitted after a regional office has decided the claim. The revision would provide consistency in adjudication of certain types of claims and improve the effectiveness of the adjudication process.

Timetable:

Action	Date	FR Cite
NPRM	06/20/05	70 FR 35388
NPRM Comment Period End	08/19/05	
Final Action	01/00/06	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
Phone: 202 273-7211
Email: capbruss@vba.va.gov

RIN: 2900-AM15**2965. • REMARRIAGE OF A SURVIVING SPOUSE****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 103; 38 USC 501(a)**CFR Citation:** 38 CFR 3.55**Legal Deadline:** None

Abstract: The Department of Veterans Affairs (VA) is issuing this final rule to amend its adjudication regulations regarding benefits for surviving spouses to reflect statutory changes regarding eligibility for benefits for surviving spouses who remarry after age 55 and

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surviving spouses who remarry after age 57. These amendments are necessary to conform the regulations to statutory provisions.

Timetable:

Action	Date	FR Cite
Final Action	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Bill Russo, Chief, Regulations Staff, C&P Service (211D), Department of Veterans Affairs, 810 Vermont Avenue NW, Veterans Benefits Administration, Washington, DC 20420
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RIN: 2900-AM24**2966. • VETERANS BENEFITS ACT OF 2003 AND VETERANS BENEFITS IMPROVEMENT ACT OF 2004****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1112; 38 USC 1310; 38 USC 1503; 38 USC 2303; 38 USC 6105**CFR Citation:** 38 CFR 3.10; 38 CFR 3.152 and 153; 38 CFR 272; 38 CFR 3.309; 38 CFR 3.400; 38 CFR 3.362; 38 CFR 3.714 and 715; 38 CFR 3.800; 38 CFR 3.808 and 809; 38 CFR 3.903; 38 CFR 3.1600; ...**Legal Deadline:** None**Abstract:** This document amends the Department of Veterans Affairs (VA)

adjudication regulations to incorporate relevant provisions from the Veterans Benefits Act of 2003 and the Veterans Benefits Improvement Act of 2004. Specifically, this document amends VA's adjudication regulations regarding burial allowance eligibility, forfeiture of benefits, dependency and indemnity compensation payments, the Radiation Exposure Compensation Program, exclusions from income for pension purposes, benefits for persons disabled by treatment or vocational rehabilitation provided by VA, specially adapted housing, effective date of death pension, and diseases subject to presumptive service connection. This document also amends VA's adjudication regulations to reflect the establishment of the Social Security Administration as an independent agency.

Timetable:

Action	Date	FR Cite
Final Action	02/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Maya Ferrandino, Consultant, C&P (211A), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420
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RIN: 2900-AM27**2967. • USE OF DIAGNOSTIC CODE NUMBERS; SCHEDULE OF RATINGS—NEUROLOGICAL CONDITIONS AND CONVULSIVE DISORDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 38 USC 1155**CFR Citation:** 38 CFR 4.27; 38 CFR 4.124(a)**Legal Deadline:** None

Abstract: This rulemaking document amends the Department of Veterans Affairs (VA) Schedule for Rating Disabilities by updating references to Diagnostic Codes in two regulations. These amendments are necessary to correct outdated references.

Timetable:

Action	Date	FR Cite
Final Action	04/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Maya Ferrandino, Consultant, C&P (211A), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420
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RIN: 2900-AM32**BOARD OF VETERANS APPEALS****2968. BOARD OF VETERANS' APPEALS: CLARIFICATION OF A NOTICE OF DISAGREEMENT****Priority:** Other Significant**Legal Authority:** 38 USC 7105**CFR Citation:** 38 CFR 19.26; 38 CFR 19.29**Legal Deadline:** None

Abstract: The Department of Veterans Affairs is amending its regulations pertaining to Agency action upon receipt from a claimant of a Notice of Disagreement of a decision made by VA

on a claimant's application for a VA benefit.

Timetable:

Action	Date	FR Cite
NPRM	06/30/05	70 FR 37723
NPRM Comment Period End	08/29/05	
Final Action	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Steven L. Keller, Senior Deputy Vice Chairman,

Department of Veterans Affairs, Board of Veterans Appeals, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 565-5978

RIN: 2900-AL97**2969. • BOARD OF VETERANS' APPEALS: RULES OF PRACTICE: PUBLIC AVAILABILITY OF BOARD DECISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a)(2); 38 USC 501(a)**CFR Citation:** 38 CFR 20.1301(b)**Legal Deadline:** None

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Abstract: This document amends the Department of Veterans Affairs' Board of Veterans' Appeals Rules of Practice. This change is required to conform the Rules of Practice to the Board's current practice of publishing redacted Board decisions on websites that are publicly accessible on the World Wide Web.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Steven L. Keller, Senior Deputy Vice Chairman, Department of Veterans Affairs, Board of Veterans Appeals, 810 Vermont Avenue NW, Washington, DC 20420
Phone: 202 565-5978

RIN: 2900-AM31

NATIONAL CEMETERY SYSTEM

2970. • DELEGATIONS OF AUTHORITY; NATIONAL CEMETERY ADMINISTRATION

Priority: Info./Admin./Other

Legal Authority: 38 USC 501; 38 USC 512; 38 USC 2404

CFR Citation: 38 CFR 2.6

Legal Deadline: None

Abstract: This document amends the Department of Veterans Affairs (VA) Secretary's delegations of authority to certain officials. The amendment updates the regulation governing

certain delegations of authority exercised by the Under Secretary for Memorial Affairs. This minor technical amendment provides delegation of authority from the Secretary of VA to the Under Secretary for Memorial Affairs to accept all monetary and/or non-monetary gifts and donations, made in any manner, which are for the purpose of beautifying or benefiting national cemeteries. The authority to accept offers of land will remain with the Secretary of Veterans Affairs.

Timetable:

Action	Date	FR Cite
Final Action	02/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Karen Barber, Program Analyst (41C3), Department of Veterans Affairs, National Cemetery Administration, 810 Vermont Avenue NW, Washington, DC 20420
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RIN: 2900-AM18

Department of Veterans Affairs (VA)

Long-Term Actions

VETERANS BENEFITS ADMINISTRATION

2971. LOAN GUARANTY: ASSISTANCE TO CERTAIN DISABLED VETERANS IN ACQUIRING SPECIALLY ADAPTED HOUSING

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 36.4400

Timetable:

Action	Date	FR Cite
NPRM	10/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William White

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RIN: 2900-AL58

Department of Veterans Affairs (VA)

Completed Actions

2972. FEDERAL POLICY FOR THE PROTECTION OF HUMAN SUBJECTS TECHNICAL AMENDMENT

Priority: Info./Admin./Other

CFR Citation: 38 CFR 16

Completed:

Reason	Date	FR Cite
Final Action	06/23/05	70 FR 36325
Final Action Effective	06/23/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joan Porter
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RIN: 2900-AL99

2973. EXCEPTIONS TO DEFINITION OF DATE OF RECEIPT BASED ON SPECIAL OR UNFORESEEN CIRCUMSTANCES

Priority: Substantive, Nonsignificant

CFR Citation: 38 CFR 3.1(r)

Completed:

Reason	Date	FR Cite
Final Action	08/31/05	70 FR 51590

VA

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bill Russo

Phone: 202 273-7211

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RIN: 2900-AL12**2974. LOAN GUARANTY: HYBRID ADJUSTABLE RATE MORTGAGES****Priority:** Other Significant**CFR Citation:** 38 CFR 36.4212; 38 CFR 36.4254; 38 CFR 36.4311; 38 CFR 36.4312**Completed:**

Reason	Date	FR Cite
Final Action	05/02/05	70 FR 22596
Final Action Effective	05/02/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert D. Finneran

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RIN: 2900-AL54**2975. VETERANS EDUCATION: NONPAYMENT OF VA EDUCATIONAL ASSISTANCE TO FUGITIVE FELONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 21.3135; 38 CFR 21.4131; 38 CFR 21.4135; 38 CFR 21.4200; 38 CFR 21.7020; 38 CFR 21.7131; 38 CFR 21.7135**Completed:**

Reason	Date	FR Cite
Final Action	05/16/05	70 FR 25785
Final Action Effective	05/16/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Lynn M. Nelson

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Email: lynn.nelson@vba.va.gov

RIN: 2900-AL79**2976. PRESUMPTION OF SOUND CONDITION: AGGRAVATION OF A DISABILITY BY ACTIVE SERVICE****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 3.304**Completed:**

Reason	Date	FR Cite
Final Action	05/04/05	70 FR 23027
Final Action Effective	05/04/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** David McLenachen

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Email: capdmcle2@vba.va.gov

RIN: 2900-AL90**2977. PRESUMPTIONS OF SERVICE CONNECTION FOR DISEASES ASSOCIATED WITH SERVICE INVOLVING DETENTION OR INTERMENT AS A PRISONER OF WAR****Priority:** Substantive, Nonsignificant**CFR Citation:** 38 CFR 1.18; 38 CFR 3.309**Completed:**

Reason	Date	FR Cite
Final Action	06/28/05	70 FR 37040
Final Action Effective	10/07/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** David Joseph Barrans

Phone: 202 273-6320

RIN: 2900-AM09**2978. • JURISDICTIONS AND ADDRESSES OF REGIONAL COUNSELS****Priority:** Info./Admin./Other**Legal Authority:** 38 USC 501**CFR Citation:** 38 CFR 14.501(f)**Legal Deadline:** None**Abstract:** This document amends the Department of Veterans Affairs (VA)

regulations regarding the jurisdictions and addresses of the General Counsel's Regional Counsels. This amendment is necessary to update title 38, Code of Federal Regulations, to reflect recent jurisdiction and address changes.

Timetable:

Action	Date	FR Cite
Final Action	09/01/05	70 FR 52015

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Susan Sokoll, Deputy Director, Legal Information Division, Office of General Counsel (026H), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420

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RIN: 2900-AM20**2979. AUDITS OF STATES, LOCAL GOVERNMENTS, AND NONPROFIT ORGANIZATIONS; GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS****Priority:** Other Significant**CFR Citation:** 38 CFR 41; 38 CFR 49**Completed:**

Reason	Date	FR Cite
Final Action	09/01/05	70 FR 52248
Final Action Effective	10/03/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** Local, State**Agency Contact:** John A. Corso

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RIN: 2900-AJ62

[FR Doc. 05-17867 Filed 10-28-05; 8:45 am]

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