

policy is not a prerequisite for placing a policy under the protection of the Act.

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BILLING CODE 8320-01-P

### 38 CFR Part 8a

RIN 2900-AH54

#### Veterans Mortgage Life Insurance

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

**SUMMARY:** This document amends the Department of Veterans Affairs (VA) regulations relating to Veterans Mortgage Life Insurance (VMLI) by eliminating regulations that merely restate statutory provisions; and by deleting provisions that have no legal effect.

**EFFECTIVE DATE:** June 7, 1996.

**FOR FURTHER INFORMATION CONTACT:** George Poole, Chief, Insurance Program Administration, Department of Veterans Affairs Regional Office and Insurance Center, PO Box 8079, Philadelphia, PA 19101, (215) 951-5718.

**SUPPLEMENTARY INFORMATION:** The Insurance Service of the Veterans Benefits Administration has determined that various regulations relating to VMLI are merely restatements of statutory provisions. Since they are redundant, they are unnecessary and may be eliminated.

This final rule consists of nonsubstantive changes and, therefore, is not subject to the notice-and-comment and effective-date provisions of 5 U.S.C. 553. The Secretary of Veterans Affairs hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This final rule will not affect any entity since it does not contain any substantive provisions. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance Program number for these regulations is 64.103.

List of Subject in 38 CFR Part 8a

Mortgage insurance, Veterans.

Approved: May 31, 1996.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 8a is amended as set forth below:

### PART 8a—VETERANS MORTGAGE LIFE INSURANCE

1. The authority citation for part 8a is revised to read as follows:

Authority: 38 U.S.C. 501, and 2101 through 2106, unless otherwise noted.

#### §§ 8a.5 through 8a.7 [Removed]

2. Sections 8a.5 through 8a.7 are removed.

#### § 8a.1 [Amended]

3. In § 8a.1, paragraphs (a) and (b) are removed; paragraphs (c), (d), (e), (f) and (g) are redesignated as paragraphs (a), (b), (c), (d) and (e) respectively; newly redesignated paragraph (b) is amended by adding “(VMLI)” after “Veterans Mortgage Life Insurance”; and newly redesignated paragraph (e)(3) is amended by removing “Chief Benefits Director” and adding, in its place, “Under Secretary for Benefits”.

#### § 8a.2 [Amended]

4. In § 8a.2, paragraph (a), is amended by removing “Veterans Mortgage Life Insurance (VMLI)” and adding, in its place, “VMLI”; paragraph (a) is further amended by removing “8a.4(b) of this title, the amount of Veterans Mortgage Life Insurance” and adding, in its place, “8a.4(a) the amount of VMLI”; paragraph (b)(4) is amended by removing, “purchased or adapted in part with a grant, or subsequently acquired housing unit”; in paragraph (b)(6) the first sentence is removed; and paragraphs (b)(4), (b)(6), (b)(8) and (c) are amended by removing “Veterans Mortgage Life Insurance” each time and adding, in its place, “VMLI”.

#### § 8a.3 [Amended]

5. In § 8a.3, paragraphs (a), (b), (c), and (e) are amended by removing “Veterans Mortgage Life Insurance” each time and adding, in its place, “VMLI”.

#### § 8a.4 [Amended]

6. In § 8a.4, paragraph (a) is removed; paragraphs (b), (c) and (d) are redesignated as paragraph (a), (b) and (c) respectively; and newly redesignated paragraphs (a) and (c) are amended by removing “Veterans Mortgage Life Insurance” each time and adding, in its place, “VMLI”.

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### 38 CFR Part 20

RIN 2900-A115

#### Rules of Practice: Elimination of Unnecessary Provisions Relating to Representation, Witnesses, and Access to Board Records

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

**SUMMARY:** This document amends the Rules of Practice for the Board of Veterans' Appeals (Board) to eliminate unnecessary provisions concerning individuals who may assist an attorney in presenting evidence and argument at the Board, concerning testimony from members of Congress and Congressional staffs, and concerning Board records. The Board adjudicates appeals of denials of claims for veterans' benefits.

**EFFECTIVE DATE:** June 7, 1996.

**FOR FURTHER INFORMATION CONTACT:** Steven L. Keller, Chief Counsel, Board of Veterans' Appeals, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202-565-5978).

**SUPPLEMENTARY INFORMATION:** This document eliminates from the Board's Rules of Practice provisions which are no longer necessary.

In § 20.606, relating to legal interns, law students and paralegals, former paragraph (a) is deleted. Previously, that paragraph limited to two the number of such individuals who may assist an attorney in presenting evidence and argument at the Board. Particularly with the limitation in former paragraph (d) of § 20.606—which limits to two the number of such individuals who may make a presentation at a hearing and permits the presiding Member to limit participation at a hearing—we do not believe the limitation in paragraph (a) is needed. New paragraph (d) (former paragraph (e)) is amended to provide that a presiding Member of a hearing—as well as the Chairman—may withdraw permission for a legal intern, law student or paralegal to prepare and present cases before the Board if the individual demonstrates incompetence, unprofessional conduct, or interference with the appellate process.

Section 20.710, relating to witnesses at hearings, is rewritten to delete specific instructions that Members of Congress and Congressional staff may testify at a hearing, and to delete the extensive discussion of the nature of an affirmation (as opposed to an oath). We do not believe either provision is necessary.

Section 20.1300, relating to access to Board records, is rewritten to limit its