

The Catalog of Federal Domestic Assistance number for the program affected by this final rule is 64.120.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs-education, Loan programs-education, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: December 4, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

Samuel E. Ebbesen,

Lieutenant General, USA, Deputy Assistant

Secretary, (Military Personnel Policy)

Department of Defense.

For the reasons set out in the preamble, 38 CFR part 21, subpart G is amended as set forth below.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart G—Post-Vietnam Era Veterans' Educational Assistance Under 38 U.S.C. Chapter 32

1. The authority citation for part 21, subpart G is revised to read as follows:

Authority: 38 U.S.C. chapter 32, unless otherwise noted.

2. In § 21.5021, paragraph (d) and its authority citation are revised and paragraph (y) and its authority citation are added to read as follows:

§ 21.5021 Definitions.

* * * * *

(d) *School, educational institution, institution.* The terms, *school, educational institution, and institution* mean—

(1) Any vocational school, business school, correspondence school, junior college, teacher's college, college, normal school, professional school, university or scientific or technical institution;

(2) Any public or private elementary school or secondary school which offers courses for adults; and

(3) An entity, during the period beginning on November 2, 1994, and ending on September 30, 1996, other than an institution of higher learning, that provides training required for completion of a State-approved alternative teacher certification program.

(Authority: 38 U.S.C. 3202(2), 3452(c))

* * * * *

(y) *Alternative teacher certification program.* The term *alternative teacher certification program* for the purposes of determining whether an entity offering

such a program is a school, educational institution or institution, as defined in paragraph (d)(3) of this section, means a program leading to a teacher certificate that allows individuals with a bachelor's degree or graduate degree to obtain teacher certification without enrolling in an institution of higher learning.

(Authority: 38 U.S.C. 3202(2), 3452(c))

3. In § 21.5150, the introductory text is revised to read as follows:

§ 21.5150 State approving agencies.

In administering chapter 32, title 38, United States Code, VA will apply the provisions of the following sections:

* * * * *

4. In § 21.5200, paragraph (a) is revised to read as follows:

§ 21.5200 Schools.

* * * * *

(a) Section 21.4200—Definitions (with the exception of paragraph (a)).

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5. In § 21.5250, paragraph (a), introductory text, and paragraph (b) are revised, to read as follows:

§ 21.5250 Courses.

(a) *General.* In administering benefits payable under chapter 32, title 38, U.S.C. VA and, where appropriate, the State approving agencies shall apply the following sections:

* * * * *

(b) *Flight courses.* In administering benefits payable for flight training under chapter 32, title 38, U.S.C., VA and the State approving agencies will apply the provisions of § 21.4263 of this part. Educational assistance allowance is payable only for flight training undertaken by a veteran or serviceperson after March 31, 1991.

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[FR Doc. 96-664 Filed 1-19-96; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

48 CFR Parts 801, 802, 803 and 806

RIN 2900-AH62

VA Acquisition Regulation: Senior Procurement Executive and Procurement Executive

AGENCY: Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs Acquisition Regulations (VAAR) to establish delegations of authority for

acquisition issues to the Assistant Secretary for Management and to the Deputy Assistant Secretary for Acquisition and Materiel Management, and to provide for further delegations of certain acquisition issues. This document also changes certain VA positions to reflect the correct titles.

EFFECTIVE DATE: January 22, 1996.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: This final rule consists of agency organization and, consequently, pursuant to 5 U.S.C. 553, is exempt from notice and comment and effective date provisions.

The Secretary 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 (RFA), 5 U.S.C. 601-612. The rule would not directly affect any small entities. Pursuant to 5 U.S.C. 605(b), this final rule is therefore exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

List of Subjects

48 CFR Part 801

Government procurement, Reporting and Recordkeeping requirements.

48 CFR Part 802

Government procurement.

48 CFR Part 803

Antitrust, Conflict of Interests, Government procurement.

48 CFR Part 806

Government procurement.

Approved: December 15, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set forth in the preamble, 48 CFR parts 801, 802, 803 and 806 are amended as follows:

PART 801—VETERANS AFFAIRS ACQUISITION REGULATION SYSTEM

1. The authority citation for part 801 continues to read as follows:

Authority: 38 U.S.C. 501 and 40 U.S.C. 486(c).

2. Section 801.602 is revised to read as follows:

801.602 Contracting officers.

(a) Except as otherwise provided by law, VA regulations, VAAR and FAR,

the authority vested in the Secretary to do the following is delegated to the Senior Procurement Executive and is further delegated to the Procurement Executive:

(1) Execute, award, and administer contracts, purchase orders, and other agreements (including interagency agreements) for the expenditure of funds involved in the acquisition of personal property, service (including architect-engineer services), construction, issuing Government bills of lading, and for the sale of personal property, leases, sales agreements and other transactions;

(2) Prescribe and publish acquisition policies and procedures;

(3) Establish clear lines of contracting authority;

(4) Manage and enhance career development of the procurement work force;

(5) Examine, in coordination with the Office of Federal Procurement Policy, the procurement system to determine specific areas where Governmentwide performance standards should be established and applied, and to participate in the development of Governmentwide procurement policies, regulations and standards; and,

(6) Oversee the competition advocate program.

(b) Further delegation to execute, award, and administer contracts, purchase orders and other agreements will be made in accordance with the Contracting Officer Certification Program as prescribed in (VAAR) 48 CFR 801.670 and 801.690.

PART 802—DEFINITIONS OF WORDS AND TERMS

3. The authority citation for parts 801, 802, 803 and 806 is revised to read as follows:

Authority: 38 U.S.C. 501 and 40 U.S.C. 486(c).

4. In § 802.100 paragraph (b) is revised and new paragraph (c) is added to read as follows:

802.100 Definitions.

(a) * * *

(b) Procurement Executive means the Deputy Assistant Secretary for Acquisition and Materiel Management.

(c) Senior Procurement Executive means the Assistant Secretary for Management (004). The Senior Procurement Executive is responsible for the management direction of the VA acquisition systems.

PART 803—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

803.203 [Amended]

5. In § 803.203 paragraph (b) is amended by removing "Director, Office of Procurement and Supply (90)" and adding in its place "Deputy Assistant Secretary for Acquisition and Materiel Management".

803.303 [Amended]

6. Section 803.303 is amended by removing "Director, Office of Procurement and Supply (90)" and adding in its place "Deputy Assistant Secretary for Acquisition and Materiel Management".

PART 806—COMPETITION REQUIREMENTS

806.501 [Amended]

7. In § 806.501, paragraph (a) is amended by removing "Deputy Director, Acquisition and Materiel Management" and adding in its place "Associated Deputy Assistant Secretary for Acquisitions (90A)".

[FR Doc. 96-668 Filed 1-19-96; 8:45 am]

BILLING CODE 8320-01-P