

- (ii) A dose rate upset of  $5 \times 10^8$  Rads (SI)/Sec;
- (iii) A neutron dose of  $1 \times 10^{14}$  N/cm<sup>2</sup>;
- (iv) A single event upset of  $1 \times 10^{-7}$  or less error/bit/day;

(v) Single event latch-up free and having a dose rate latch-up of  $5 \times 10^8$  Rads(SI)/sec or greater.

(6) Propulsion systems which permit acceleration of the satellite on-orbit (i.e., after mission orbit injection) at rates greater than 0.1g.

(7) Attitude control and determination systems designed to provide spacecraft pointing determination and control or payload pointing system control better than 0.02 degrees per axis.

(8) Orbit transfer engines ("kick-motors") which are embedded in the spacecraft. Orbit transfer engines which are not embedded in the spacecraft are controlled under Category IV of this subchapter (except as noted in the note for this paragraph (f)). Here "embedded" means that the device or system cannot feasibly be removed from the spacecraft and cannot be used for other purposes.

(9) Cryptographic items described in Category XIII(b)(1)(x) of this subchapter.

Note: Commercial communications satellites are subject to Commerce Licensing jurisdiction even if they include the individual munitions list systems, components or parts identified in paragraph (f) of this category. In all other cases, these systems, components or parts remain on the USML except non-embedded, solid propellant orbit transfer engines ("kick motors") are subject to Commerce licensing jurisdiction (and not controlled under this subchapter) when they are to be utilized for a specific commercial communications satellite launch, provided the solid propellant "kick motor" being utilized is not specifically designed or modified for military use or capable of being restarted after achievement of mission orbit (such orbit transfer engines are always controlled under Category IV of this subchapter). Technical data (as defined in § 120.10 of this subchapter) and defense services (as defined in § 120.9 of this subchapter) related to the systems, components, or parts referred to in paragraph (f) of this category are always controlled under this subchapter, even when the satellite itself is licensed by the Department of Commerce.

(g) Technical data (as defined in § 120.10 of this subchapter) and defense services (as defined in § 120.9 of this subchapter) directly related to paragraphs (a) through (f) of this category. (See § 125.4 for exemptions.) Technical data directly related to the manufacture or production of any defense articles enumerated elsewhere in this category that are designated as Significant Military Equipment (SME) shall itself be designated SME. In addition, detailed design, development, production or manufacturing data for all

spacecraft systems and for specifically designed or modified components for all spacecraft systems, regardless of which U.S. Government agency has jurisdiction for export of the spacecraft. (See § 125.4 for exemptions.) This coverage by the U.S. Munitions List of detailed design, development, manufacturing or production information directly related to satellites which are not otherwise under the control of this section does not include that level of technical data (including marketing data) necessary and reasonable for a purchaser to have assurance that a U.S.-built item intended to operate in space has been designed, manufactured and tested in conformance with specified contract requirements (e.g., operational performance, reliability, lifetime, product quality, or delivery expectations), as well as data necessary to evaluate in-orbit anomalies and to operate and maintain associated ground equipment.

Note 1: All defense services and technical assistance for satellites and/or launch vehicles, including compatibility, integration, or processing data, is controlled under this subchapter. Technical data provided to the launch provider (form, fit, function, mass, electrical, mechanical, dynamic/environmental, telemetry, safety, facility, launch pad access, and launch parameters) for commercial communications satellites that describe the interfaces for mating and parameters for launch (e.g., orbit, timing) of the satellite is under Commerce jurisdiction.

Note 2: The international space station, being developed, launched and operated under the supervision of the National Aeronautics and Space Administration, is controlled for export purposes under the Export Administration Regulations.

Dated: October 25, 1996.

Lynn E. Davis,

*Under Secretary for Arms Control and International Security Affairs.*

[FR Doc. 96-28401 Filed 11-4-96; 8:45 am]

BILLING CODE 4710-25-M

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Parts 92 and 176

#### Base Closure and Realignment; Redesignation of Parts

**AGENCY:** Office of the Secretary, Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the heading of subchapter G to identify base closure and realignment documents and the redesignates part 92 as part 176.

**EFFECTIVE DATE:** November 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** L.M. Bynum, 703-697-4111.

List of Subjects in 32 CFR Parts 92 and 176

Community development, Environmental protection, Government employees, Homeless military personnel, Surplus government property.

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR Chapter I is amended as follows:

#### PART 92—[REDESIGNATED AS PART 176]

1. Part 92 is redesignated as part 176 and added to subchapter G.

1a. The authority citation for newly designated Part 176 continues to read as follows: 10 U.S.C. 2687 note.

#### § 176.15 [Amended]

2. Newly redesignated 176.15, paragraph (b) is amended by revising "§§ 99.20 through 92.45" to read "§§ 176.20 through 176.45".

#### § 176.20 [Amended]

3. Newly redesignated 176.20 is amended in paragraph (a) by revising "part 91" to read "part 175", paragraph (c) introductory text by revising "§ 92.20(a)" to read "§ 176.20(a)" both times it appears, paragraph (c)(1)(i) by revising "§ 92.10(b)" to read "§ 176.10(b)", paragraph (c)(3)(i) by revising "§ 92.20(c)(3)(ii)" to read "§ 176.20(c)(3)(ii)", paragraph (c)(3)(ii)(C) by revising "§ 92.20(c)(2)" to read "§ 176.20(c)(2)", paragraph (c)(5) by revising "§ 92.20(c)(1)" to read "§ 176.20(c)(1)" and by revising "§ 92.30" to read "§ 176.30".

#### § 176.30 [Amended]

4. Newly redesignated 176.30 is amended in paragraph (b)(3)(i) by revising "§ 92.45(a)" to read "176.45(a)", paragraph (b)(5) by revising "§ 92.20(c)(3)" to read "§ 176.20(c)(3)", and paragraph (c) by revising "§ 99.20(c)(6)" to read "§ 176.20(c)(6)".

#### § 176.35 [Amended]

5. Newly redesignated 176.35 is amended in paragraph (b)(4)(i) by revising "§ 92.20(c)(3)" to read "§ 176.20(c)(3)", paragraph (c)(1) introductory text by revising "§ 92.15(a)" to read "§ 176.15(a)", paragraph (c)(2) by revising "§ 92.20(c)(5)" to read "§ 176.20(c)(5)" and by revising "§ 92.40" to read "§ 176.40".

**§ 176.40 [Amended]**

6. Newly redesignated 176.40(a) introductory text is amended by revising § 92.35(b)" to read "§ 176.35(b)".

**§ 176.45 [Amended]**

7. Newly redesignated 176.45 is amended in paragraph (b) by revising "§ 92.40(c)" to read "§ 176.40(c)" and paragraph (c) by revising "§ 92.35(c) and § 92.40(d)" to read "§ 176.35(d) and § 176.40(d)".

Dated: October 28, 1996.

L.M. Bynum,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 96-28299 Filed 11-4-96; 8:45 am]

BILLING CODE 5000-04-M

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 17

RIN 2900-AH77

#### Contract Program for Veterans With Alcohol and Drug Dependence Disorders

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends 38 CFR part 17 by adopting as a final rule the proposal to modify eligibility criteria for veterans participating by contract in the Department of Veterans Affairs' program of alcohol and drug dependence or abuse treatment and rehabilitation in residential and nonresidential facilities. Previous regulations stipulated that, prior to participation in contract care under this program, veterans were to be provided hospital care in facilities over which the Secretary has direct jurisdiction. It was proposed to change the regulations to stipulate that, prior to participation in contract care, veterans must have been or must be receiving care (regardless of whether it was or is hospital care) by professional staff over whom the Secretary has jurisdiction (regardless of whether it is direct jurisdiction). The elimination of the requirement of "hospital care" is necessary to address changed clinical practices and continue the intended program. In the past, substance abuse treatment generally was provided in a hospital setting. Now, much substance abuse treatment also is provided in an ambulatory care or residential setting. Further, this document changes "direct jurisdiction of the Secretary" to "jurisdiction of the Secretary" to allow for continuation of any cases in which VA has had

involvement (including, among other things, fee basis care) and thereby help ensure that a complete course of treatment is provided.

**EFFECTIVE DATE:** November 5, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Richard T. Suchinsky, M.D., Associate Director for Addictive Disorders and Psychiatric Rehabilitation (111C1B), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420; (202) 273-8436. (This is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** This final rule is based on a proposed rule published in the Federal Register on May 21, 1996 (61 FR 25428). We requested that comments to the proposed rule be submitted on or before July 22, 1996. We received no comments. For reasons set forth in the proposed rule and this document, the proposed rule is adopted as a final rule.

The Secretary hereby certifies that the provisions of the final rule would 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. There does not appear to be a basis for considering special provisions for small entities since, in all likelihood, only entities that are small entities would conduct activities affected by this rule. Also, because of budgetary constraints and the high utilization of this program, we anticipate no change in the total number of bed days of care paid by VA to participating small entities. Therefore, pursuant to 5 U.S.C. 605(b), this final rule is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance number is 64.019.

#### List of Subjects in 38 CFR Part 17

Administrative practice and procedure, Alcohol abuse, Alcoholism, Claims, Day care, Dental health, Drug abuse, Foreign relations, Government contracts, Grant programs—veterans, Health care, Health facilities, Health professions, Health records, Homeless, Medical and dental schools, Medical devices, Medical research, Mental health programs, Nursing homes, Philippines, Reporting and recordkeeping requirements, Scholarships and fellowships, Travel and transportation expenses, Veterans.

Approved: September 17, 1996.

Jesse Brown,

*Secretary of Veterans Affairs.*

For the reasons set out in the preamble, 38 CFR part 17 is amended as set forth below:

## PART 17—MEDICAL

1. The authority citation for part 17 continues to read as follows:

Authority: 38 U.S.C. 501, 1721, unless otherwise noted.

2. In section 17.80, paragraph (a)(1) is revised to read as follows:

**§ 17.80 Alcohol and drug dependence or abuse treatment and rehabilitation in residential and nonresidential facilities by contract.**

(a) \* \* \*

(1) Veterans who have been or are being furnished care by professional staff over which the Secretary has jurisdiction and such transitional care is reasonably necessary to continue treatment.

\* \* \* \* \*

[FR Doc. 96-28324 Filed 11-4-96; 8:45 am]

BILLING CODE 8320-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[Region 2 Docket NJ24-1a-158; FRL-5643-2]

#### Clean Air Act Attainment Extension for the New York-Northern New Jersey-Long Island Consolidated Metropolitan Statistical Carbon Monoxide Nonattainment Area

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** This action grants a one (1) year attainment date extension for the New York-Northern New Jersey-Long Island Consolidated Metropolitan Statistical Carbon Monoxide nonattainment area (NYCMSA) which also includes parts of two counties in southwestern Connecticut. The NYCMSA failed to attain the National Ambient Air Quality Standard (NAAQS) for carbon monoxide (CO) by the December 31, 1995 deadline contained in the Clean Air Act as amended in 1990 (CAA). However, section 186(a)(4) of the CAA provides for a one year extension of the CO attainment date if specific requirements are met. Since the NYCMSA has met these requirements, EPA is granting the one year extension.