

Federal citation	State analog
1. Toxicity Characteristic; Hydrocarbon Recovery Operations, October 5, 1990, FR 40834-40837, as amended on February 1, 1991, at 56 FR 3978, and April 2, 1991, at 56 FR 13406-13411.	Arkansas Hazardous Waste Management Code (AHWMC) section 3a(2), as amended December 6, 1991, effective January 27, 1992.
2. Petroleum Refinery Primary and Secondary Oil/Water/Solid Separation Sludge Listings (F037 and F038), 55 FR 46354-46387, November 2, 1990, as amended on December 17, 1990, at 55 FR 51707.	AHWMC section 3a(2), as amended December 6, 1991, effective January 27, 1992.
3. Wood Preserving Listings, 55 FR 50450-50490, December 6, 1990.	AHWMC section 3a(1), (2), (3), (5), (6), (9), as amended December 6, 1991, effective January 27, 1992.
4. Land Disposal Restrictions for Third Third Scheduled Wastes; Technical Amendments, 56 FR 3864-3928, January 31, 1991.	AHWMC section 3a(2), (3), (5), (6), (8), and (9), as amended December 6, 1991, effective January 27, 1992.
5. Toxicity Characteristic; Chlorofluorocarbon Refrigerants, 56 FR 5910-5915, February 13, 1991.	AHWMC section 3a(2), as amended December 6, 1991, effective January 27, 1991.
6. Burning of Hazardous Waste in Boilers and Industrial Furnaces, 56 FR 7134-7240, February 21, 1991.	AHWMC section 3a(1), (2), (5), (6), (7), and (9), as amended December 6, 1991, effective January 27, 1991.
7. Removal of Strontium Sulfide from the List of Hazardous Wastes; Technical Amendment, 56 FR 7567-7569, February 25, 1991.	AHWMC section 3a(2), as amended December 6, 1991, effective January 27, 1992.
8. Organic Air Emission Standards for Process Vents and Equipment Leaks; Technical Amendment, 56 FR 19290, April 26, 1991.	AHWMC section 3a(2), (5), (6), and (9) as amended December 6, 1991, effective January 27, 1992.
9. Administrative Stay for K069 Listing, 56 FR 19951, May 1, 1991.	AHWMC section 3a(2), as amended December 6, 1991, effective January 27, 1992.
10. Revision to the Petroleum Refining Primary and Secondary Oil/Water/Solids Separation Sludge Listings (F037 and F038), 56 FR 21955-21960, May 13, 1991.	AHWMC section 3a(2), as amended December 6, 1991, effective January 27, 1992.
11. Mining Waste Exclusion III, 56 FR 27300-27330, June 13, 1991.	AHWMC section 3a(2), as amended December 6, 1991, effective January 27, 1992.
12. Wood Preserving Listings, 56 FR 27332-27336, June 13, 1991.	AHWMC section 3a(2), (5), and (6), as amended December 6, 1991, effective January 27, 1992.

Arkansas is not authorized to operate the Federal program on Indian lands. This authority remains with EPA.

D. Decision

I conclude that the Arkansas application for program revision meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Arkansas is granted final authorization to operate its hazardous waste program as revised.

Arkansas now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out the aspects of the RCRA program described in its revised program application. Arkansas also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013 and 7003 of RCRA.

E. Codification in Part 272

EPA uses part 272 for codification of the decision to authorize Arkansas' program and for incorporation by reference of those provisions of Arkansas' statutes and regulations that EPA will enforce under sections 3008, 3013, and 7003 of RCRA. EPA is reserving amendment of part 272, subpart E.

Compliance with Executive Order 12291

The Office of Management and Budget has exempted this rule from the

requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 4 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Arkansas' program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. This authorization does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Lists of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6926, 6974(b).

Dated: September 14, 1992.

Joe D. Winkle,

Acting Regional Administrator.

[FR Doc. 92-24091 Filed 10-2-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 271

[FRL-4517-4]

Arkansas; Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: The State of Arkansas has applied for final authorization of revision to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed the State of Arkansas' application and has made a decision, subject to public review and comment, that Arkansas' hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Arkansas' hazardous waste program revisions, subject to the authority retained by EPA in accordance with the Hazardous and Solid Waste Amendments of 1984. Arkansas' application for program revision is available for public review and comment.

DATES: Final authorization for the State of Arkansas shall be effective on December 4, 1992, unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on Arkansas' program revision application must be received by the close of business on November 4, 1992.

ADDRESSES: Copies of the Arkansas program revision application and the materials which EPA used in evaluating the revision are available from 8:30 a.m. to 4 p.m., Monday through Friday at the following addresses for inspection and copying: Arkansas Department of Pollution Control and Ecology, 8001 National Drive, Little Rock, Arkansas 72209-8913, phone (501) 562-7444 or the U.S. EPA, Region 6 Library, 12th Floor, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 655-6444. Written comments, referring to Docket Number AR-92-3, should be sent to Janie Hernandez, Arkansas Authorization Lead, Grants and Authorization Section (6H-HS), RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 655-8533.

FOR FURTHER INFORMATION CONTACT: Janie Hernandez, Grants and Authorization Section, RCRA programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 655-8533.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act ("RCRA

or the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR parts 260-266, 268, 124, and 270.

B. Arkansas

Arkansas initially received final authorization on January 25, 1985. (See 50 FR 1513) to implement its base hazardous waste management program. Arkansas received authorization for revision to its program on August 23, 1985, May 29, 1990 (See 55 FR 11192), and November 18, 1991 (See 56 FR 57593). On June 5, 1992, Arkansas submitted a final complete program revision application for additional program approvals. Today, Arkansas is seeking approval of its program revision in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed the State of Arkansas' application, and has made an immediate final decision that Arkansas' hazardous waste program revision satisfies all of the requirements necessary to qualify for final

authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Arkansas. The public may submit written comments on EPA's final decision until November 4, 1992. Copies of Arkansas' application for program revision are available for inspection and copying at the locations indicated in the **ADDRESSES** section of this notice.

Approval of Arkansas' program revision shall become effective in 60 days unless an adverse comment pertaining to the State's revision discussed in this notice is received by the end of the comments period. If an adverse comment is received, EPA will publish either (1) a withdrawal of the immediate final decision or (2) a notice containing a response to comments which either affirms that the immediate final decision takes effect or reverse the decision.

The Arkansas program revision application includes State regulatory changes that are equivalent to the rules promulgated in the Federal RCRA implementing regulations in 40 CFR parts 124, 260-262, 264-266, 268, and 270 that were published in the **Federal Register** (FR) through August 10, 1990. This proposed approval includes the provisions that are listed in the chart below. This chart lists the State analogs that are being recognized as equivalent to the appropriate Federal requirements.

Federal citation	State analog
1. Identification and Listing of Hazardous Waste; Technical Correction, July 19, 1988 [53 FR 27162-27163].	Arkansas Hazardous Waste Management Code (AHWMC) 3a(2), 12a and 16b, as amended October 24, 1990, effective December 17, 1990.
2. Farmer Exemption; Technical Correction, July 19, 1988 [53 FR 27164-27165].	AHWMC 3a(3), (5), (6), (8), (9), as amended October 24, 1990, effective December 17, 1990.
3. Identification and Listing of Hazardous Waste; Treatability Studies Samples Exclusion, July 19, 1988 [53 FR 27290-27302].	AHWMC 3a(1), (2), as amended October 24, 1990, effective December 17, 1990.
4. Land Disposal Restrictions for First Third Scheduled Wastes, 53 FR 31138-31222, August 17, 1988, as amended on February 27, 1989 at 54 FR 8264-8266.	Arkansas Code of 1987, Annotated (Ark. Code Ann.) 8-7-205(3), 8-7-209(a)(1), (3), (5), (6), (11), b, 8-7-215, 8-7-216, 8-7-218, 8-7-303 and 8-7-308(4), as amended and effective in 1989. AHWMC 3a(5), (6), (7), (8), 4c and 13a(5), as amended October 24, 1990, effective December 17, 1990.
5. Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems 53 FR 34079-34087, September 2, 1988.	Ark. Code Ann. 8-7-209(1), (5), (9), (11), and (b), as amended and effective in 1989. AHWMC 3a(1), (2), (3), (5), (6), and (9), as amended October 24, 1990, effective December 17, 1990.
6. Identification and Listing of Hazardous Waste; and Designation, Reportable Quantities, and Notification, 53 FR 35412-35421, September 13, 1988.	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
7. Permit Modifications for Hazardous Waste Management Facilities, 53 FR 37912-37942, September 28, 1988, as amended on October 24, 1988, at 53 FR 41649.	Ark. Code Ann. 8-7-211, 8-7-218 as amended and effective in 1989. AHWMC 3a(5), (6), (9), (11) and 12, as amended October 24, 1990, effective December 17, 1990.
8. Statistical Methods for Evaluating Groundwater Monitoring Data from Hazardous Waste Facilities, 53 FR 39720-39731, October 11, 1988.	AHWMC 3a(5), as amended October 24, 1990, effective December 17, 1990.
9. Identification and Listing of Hazardous Waste; Removal of Iron Dextran from the List of Hazardous Wastes; 53 FR 43878-43881, October 31, 1988.	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
10. Identification and Listing of Hazardous Waste; Removal of Strontium Sulfide from the List of Hazardous Wastes, 53 FR 43881-43884, October 31, 1988.	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
11. Hazardous Waste Miscellaneous Units, Standards Applicable to Owners and Operators, 54 FR 615-617, January 9, 1989.	AHWMC 3a(5), (9), and 12, as amended October 24, 1990, effective December 17, 1990.
12. Amendment to Requirements for Hazardous Waste Incinerator Permits, 54 FR 4286-4288, January 30, 1989.	AHWMC 3a(9), as amended October 24, 1990, effective December 17, 1990.
13. Changes to Interim Status Facilities for Hazardous Waste Management Permits; Procedures for Post-Closure Permitting, 54 FR 9596-9609, March 7, 1989.	Ark. Code Ann. 8-7-211, as amended and effective in 1989. AHWMC 3a(9), as amended October 24, 1990, effective December 17, 1990.
14. Land Disposal Restrictions Amendments to First Third Scheduled Wastes, 54 FR 18836-18838, May 2, 1989.	AHWMC 3a(5), (6), (7) and (8), as amended October 24, 1990, effective December 17, 1990.
15. Reportable Quantity Adjustment Methyl Bromide Production Wastes, 54 FR 41402-41408, October 6, 1988.	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.

Federal citation	State analog
16. Reportable Quantity Adjustment, 54 FR 50968-50979, December 11, 1989.....	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
17. Land Disposal Restrictions Amendments to Second Third Schedules Wastes, 54 FR 26594-26652, June 23, 1989.	AHWMC 3a(8), as amended October 24, 1990, effective December 17, 1990.
18. Delay of Closure Period for Hazardous Waste Management Facilities, 55 FR 33376-33398, August 14, 1989, as amended on June 26, 1990, at 55 FR 25976.	AHWMC 3a(5), (6), and (9), as amended October 24, 1990, effective December 17, 1990.
19. Mining Waste Exclusion I, 54 FR 36592-36642, September 1, 1989.....	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
20. Land Disposal Restrictions; Correction for the First Third Scheduled Wastes, 54 FR 36967, September 6, 1989, as amended on June 13, 1990 at 55 FR 23935.	AHWMC 3a(7), and (8), as amended October 24, 1990, effective December 17, 1990.
21. Testing and Monitoring Activities, 54 FR 40260-40269, September 29, 1989.....	AHWMC 3a(1), and (2), as amended October 24, 1990, effective December 17, 1990.
22. Mining Waste Exclusion II, 55 FR 2322-2354, January 23, 1990.....	AHWMC 3a(1), (2) and (3), as amended October 24, 1990, effective December 17, 1990.
23. Modification of F019 Listing, 55 FR 5340-5342, February 14, 1990.....	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
24. Testing and Monitoring Activities; Technical corrections, 55 FR 8948-8950, March 9, 1990.	AHWMC 3a(1) as amended October 24, 1990, effective December 17, 1990.
25. Toxicity Characteristics Revision, 55 FR 11798-11877, March 29, 1990, as amended on June 29, 1990 at 55 FR 26986-26998, on August 2, 1990, at 55 FR 31387-31390, on August 10, 1990, at 55 FR 32733.	AHWMC 3a(2), (5), (6), (8), and 16e as amended October 24, 1990, effective December 17, 1990.
26. Listing of 1,1-Dimethylhydrazine Production Wastes, 55 FR 18496-18506, May 2, 1990.	AHWMC 3a(2), as amended October 24, 1990, effective December 17, 1990.
27. Criteria for Listing Toxic Wastes; Technical Amendment, 55 FR 18726, May 4, 1990.	Ark. Code Ann. 8-7-203(6) as amended and effective in 1989. AHWMC 3a(2), and 2a(5) as amended October 24, 1990, effective December 17, 1990.
28. HSWA Codification Rule, Double Liners; Correction, May 9, 1990.....	Ark. Code Ann. 8-7-218 as amended and effective in 1989. AHWMC 3a(5), and (6) as amended October 24, 1990, effective December 17, 1990.
29. Land Disposal Restrictions for Third Schedules Wastes, 55 FR 22520-22720, June 1, 1990.	AHWMC 3a(2), (5), (6), (8), and (9), as amended December 6, 1991, and effective January 27, 1992, and 13a(5) as amended October 24, 1990, effective December 17, 1990.
30. Organic Air Emission Standards for Process Vents and Equipment Leaks, 55 FR 25454-25519, June 21, 1990.	Ark. Code Ann. 8-4-303(1) and (2), 8-4-310(a)(1) and (2), 8-7-209(b), 8-7-210(d), 8-7-218(c) and 8-7-503(7), as amended and effective in 1989. 13a(5) as amended October 24, 1990, effective December 17, 1990. AHWMC 3a(1), (2), (5), (6), (8), 12, and 13a(3) as amended October 24, 1990, effective December 17, 1990.
31. Changes to Part 124 Not Accounted for by 48 FR 14146-14295, April 1, 1983, 48 FR 30113-30115, June 30, 1983, 53 FR 28118-28157, July 26, 1988, 53 FR 37396-37414, September 26, 1988, 54 FR 246-258, January 4, 1989.	AHWMC 3a(11), as amended October 24, 1990, effective December 17, 1990. Arkansas Department of Pollution Control and Ecology (ADPC&E) No. 8, dated and effective July 6, 1984, Ark. Code Ann. 8-4-218 through 8-4-229, as amended and effective in 1989.
32. Standards for Generators of Hazardous Wastes, 53 FR 45089-45093, November 8, 1988.	AHWMC 3a(3), as amended October 24, 1990, effective December 17, 1990.
33. Permit Conditions to Protect Human Health and the Environment.....	AHWMC 3a(9) & 14, as amended September 23, 1988, effective October 31, 1988.

On November 18, 1991, (56 FR 57593) the EPA granted final authorization for the State of Arkansas to operate the hazardous waste program. However, EPA did not intend to authorize the State of Arkansas for the Resource Conservation and Recovery Act (RCRA) section 3004(t) and (3). These provisions created a Federal cause of action for any person with a claim arising from conduct for which financial assurances are required under RCRA. This action may be asserted directly against the guarantor of the assurances if (1) the owner or operator of the facility is in bankruptcy or other similar proceedings under Federal law, or (2) the person with the claim is not likely to obtain jurisdiction over the facility owner operator in either Federal or State court. The cause of action created by Section 3004(t) is always available in delegable States. States are welcome to create parallel causes of action viable in State courts, but to the extent that States do so, the State cause of action cannot limit the availability of the Federal action. Therefore, EPA did not propose to authorize Arkansas for this provision.

Arkansas is not authorized to operate the Federal program on Indian lands. This authority remains with EPA.

D. Decision

I conclude that the Arkansas application for program revision meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Arkansas is granted final authorization to operate its hazardous waste program as revised.

Arkansas now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out the aspects of the RCRA program described in its revised program application. Arkansas also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013 and 7003 of RCRA.

E. Codification in Part 272

EPA uses part 272 for codification of the decision to authorize Arkansas' program and for incorporation by reference of those provisions of

Arkansas' statutes and regulations that EPA will enforce under sections 3008, 3013, and 7003 of RCRA. EPA is reserving amendment of part 272, subpart E.

Compliance with Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 4 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Arkansas' program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. This authorization does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Lists of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6926, 6974(b).

Dated: September 25, 1992.

Philip A. Charles,

Acting Regional Administrator.

[FR Doc. 92-24092 Filed 10-2-92; 8:45 am]

BILLING CODE 5580-50-M

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****43-CFR Public Land Order 6950**

[NM-930-4214-10; NMNM 86060]

Withdrawal of Public Land for the Berrendo Camp Administrative Site; New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 40 acres of public land from surface entry and mining for a period of 20 years for the Bureau of Land Management to relocate, establish, and protect the Berrendo Camp Administrative Site. The land has been and remains open to mineral leasing.

EFFECTIVE DATE: October 5, 1992.

FOR FURTHER INFORMATION CONTACT:

Georgiana E. Armijo, BLM New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico, 87502-7115, 505-438-7594.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. Ch. 2 (1988)), but not from leasing under the mineral leasing laws, to protect the Bureau of Land Management's Berrendo Camp Administrative Site:

New Mexico Principal Meridian

T. 23 S., R. 15 E.,

Sec. 9, NW ¼ NW ¼.

The area described contains 40 acres in Otero County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

Dated: September 21, 1992.

Dave O'Neal,

Assistant Secretary of the Interior.

[FR Doc. 92-24039 Filed 10-2-92; 8:45 am]

BILLING CODE 4310-FB-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Resources and Services Administration****42 CFR Part 57**

RIN 0905-AD63

Grants for Construction of Teaching Facilities, Educational Improvements, Scholarships, and Student Loans

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Final regulation.

SUMMARY: This final rule revises regulations which govern various Public Health Service (PHS) health professions and nursing training grant and loan programs to: Bring these programs into conformity with statutory amendments made to the various sections of the PHS Act under titles VII and VIII, include other changes to bring the regulations into line with current Department regulatory and grant policies; amend regulatory sections that contain information collection requirements with current Office of Management and Budget (OMB) approval numbers; and make other changes which are editorial or clarifying in nature.

The affected regulations are amended primarily by the following statutes: the Health Professions Reauthorization Act of 1988, the Nursing Shortage Reduction and Education Extension Act of 1988, the Drug-Free Workplace Act of 1988, the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990, and the National Health Service Corps Revitalization Amendments of 1990.

EFFECTIVE DATE: October 1, 1992.

FOR FURTHER INFORMATION CONTACT: Shirley L. Johnson, Director, Office of Program Development, Bureau of Health Professions, Health Resources and Services Administration, room 8A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857; telephone: (301) 443-1590.

SUPPLEMENTARY INFORMATION: This final rule amends various Public Health Service (PHS) health professions and nursing training grant and loan regulations under title 42, part 57, primarily to implement the provisions of titles VI and VII of Public Law 100-607, the Health Professions Reauthorization Act of 1988 and the Nursing Shortage Reduction and Education Extension Act of 1988, respectively. The subparts listed below discuss the specific amendments made to the various sections of the PHS Act by: (1) Titles VI or VII of Public Law 100-607, as appropriate, (2) changes regarding current Department regulatory and grant policies, (3) changes regarding current Office of Management and Budget (OMB) approval numbers in those sections of the subparts that contain information collection requirements, (4) deletion of OMB control numbers in those sections that refer only to clearance of forms and not to clearance of regulatory language, and (5) other changes for consistency in the title 42, part 57 regulations which are editorial or clarifying in nature.

Other amendments which affect the various regulations under title 42, part 57 have been made in recent years by: (1) Public Law 100-690, the Drug-Free Workplace Act of 1988, and (2) Public Law 101-121, the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990. These statutory amendments, cited below, are implemented through the following CFR revisions:

1. A new CFR citation to subparts C, D, E, H, L, Q, R, Y, Z, CC, DD, EE, FF, NN, and OO to bring these programs into compliance with governmentwide requirements established for this Department under 45 CFR part 76, in accordance with Public Law 100-690, title V, subtitle D, the Drug-Free Workplace Act of 1988, enacted on November 18, 1988, and a Notice and Interim-Final Rule, published in the Federal Register on January 31, 1989 (54 FR 4946). A Final rule was published in the Federal Register on May 25, 1990 (55 FR 21681). This CFR citation will be cited in the amendatory language as "45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide

Requirements for Drug-Free Workplace (Grants)".

2. A new CFR citation to subparts F, H, L, Q, R, V, Y, Z, AA, CC, DD, EE, FF, NN, and OO to bring these programs into compliance with governmentwide requirements established for this Department under 45 CFR part 93, in accordance with Public Law 101-121, section 319, the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990, enacted on October 23, 1989, and an Interim-Final Rule, published in the *Federal Register* on February 26, 1990 (55 FR 6736). This CFR citation will be cited in the amendatory language as "45 CFR part 93—New restrictions on lobbying".

Another amendment is made to several subparts by title IV of Public Law 101-597, the National Health Service Corps Revitalization Amendments of 1990. Section 401 of Public Law 101-597 amended the term "health manpower shortage area" to read "health professional shortage area". This amendment is reflected in the following subparts: H, I, AA, and FF.

Several subparts have footnotes in the "Application" sections indicating addresses where training grant or student loan application forms and instructions may be obtained. The Department is removing these footnotes. Training grant application forms, materials, and instructions may be obtained as announced in *Federal Register* program announcements for periodic training grant award cycles. Student loan applications and instructions are directly forwarded to applicants or eligible active institutions during appropriate application cycles. Amendments to remove such footnotes are reflected in the following subparts: C, D, F, H, L, S, V, Y, Z, AA, FF, OO, and PP.

Further, this preamble includes discussions on those subparts that are no longer viable programs (subparts G, J, K, M, N, O, II, and JJ) where the legislative authority has expired or has been repealed and, therefore, are being removed and placed in reserve status in the CFR.

The following programs, implemented by the Bureau of Health Professions, Health Resources and Services Administration, codified at 42 CFR part 57, are discussed below according to the subparts, section numbers, and headings affected.

Subpart C—Health Professions Student Loans

This final rule amends subpart C governing the Health Professions

Student Loan program under sections 740-747 of the PHS Act to:

1. Revise § 57.203, entitled "Application by school.", by:

(a) Removing footnote 1 in paragraph (a) providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations; and

(b) Removing the parenthetical phrase at the end of the section citing an outdated OMB control number.

2. Revise § 57.208, entitled "Health professions student loan promissory note and disclosure requirements.", by revising the parenthetical phrase at the end of the section providing the current OMB control number.

3. Revise § 57.210, entitled "Repayment and collection of health professions student loans.", by removing the two parenthetical phrases at the end of the section and adding in their place a parenthetical phrase providing the current OMB control numbers.

4. Revise § 57.213a, entitled "Loan cancellation reimbursement.", by removing the parenthetical phrase at the end of the section citing an outdated OMB control number.

5. Revise § 57.215, entitled "Records, reports, inspection, and audit.", by revising the parenthetical phrase at the end of the section providing the current OMB control number.

6. Revise § 57.216, entitled "What additional Department regulations apply to schools?", by revising the footnote number and the footnote reference to "45 CFR part 83".

Subpart D—Nursing Student Loans

This final rule amends subpart D governing the Nursing Student Loan program under sections 835-842 of the PHS Act to:

1. Revise § 57.303, entitled "Application by school.", by:

(a) Removing footnote 1 in paragraph (a) providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations; and

(b) Removing the parenthetical phrase at the end of the section citing an outdated OMB control number.

2. Revise § 57.308, entitled "Nursing student loan promissory note.", by revising the parenthetical phrase at the end of the section providing the current OMB control number.

3. Revise § 57.310, entitled "Repayment and collection of nursing student loans.", by:

(a) Removing the two parenthetical phrases at the end of the section and adding in their place a parenthetical

phrase providing the current OMB control number; and

(b) Revising the footnote number and the footnote reference to paragraph (a)(1).

4. Revise § 57.313, entitled "Loan cancellation for full-time employment as a registered nurse.", by removing the parenthetical phrase at the end of the section citing an outdated OMB control number.

5. Revise § 57.314, entitled "Repayment of loans made after November 17, 1971, for failure to complete a program of study.", by revising the footnote number and the footnote reference to the section heading.

6. Revise § 57.315, entitled "Records, reports, inspection, and audit.", by revising the parenthetical phrase at the end of the section providing the current OMB control number.

7. Revise § 57.316, entitled "What additional Department regulations apply to schools.", by revising the footnote number and the footnote reference to "45 CFR part 83".

Subpart F—Grants for Nurse Anesthetist Traineeships

This final regulation amends subpart F governing Grants for Nurse Anesthetist Traineeships under section 831(a) of the PHS Act to:

1. Remove the "Effective Date Note" at the end of each of the section texts for: § 57.509, entitled "Who is eligible for financial assistance as a trainee?"; § 57.510, entitled "What are the requirements for traineeships and the appointment of trainees?"; and § 57.512, entitled "Termination of traineeships."; and add the OMB control numbers in these sections which contain information collection requirements.

2. Revise § 57.502, entitled "Definitions.", to amend the following terms:

(a) The definition of "Nurse anesthetist training program" to reflect the current name of the Council on Accreditation of Nurse Anesthesia Educational Programs; and

(b) The definitions of "Nonprofit" and "Secretary" to reflect current Department policy language for consistency in title 42, part 57 definitions.

3. Revise § 57.503, entitled "Who is eligible to apply for a grant?", by removing footnote 1 providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations.

4. Revise § 57.505, entitled "How long does grant support last?", to amend paragraph (b) by removing the second sentence which is repetitive of language regarding the submission of a separate application to receive consideration for continued support stated in the last sentence of paragraph (c) of this section.

5. Revise § 57.507, entitled "For what purposes may grant funds be spent?", to amend paragraph (c) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

6. Revise § 57.508, entitled "What financial support is available to trainees?", to amend:

(a) Paragraph (b) to reflect that the amount of stipends awarded to the trainee does not exceed the limits established by the "Public Health Service"; and

(b) Paragraph (c) by removing the phrase "on an individual basis when prior approval has been obtained from the Secretary" regarding transportation allowance to trainees for travel to field training, to comply with established PHS grants policy.

7. Revise § 57.509, entitled "Who is eligible for financial assistance as a trainee?", to revise paragraph (a) concerning an eligible individual's citizenship status, the Immigration and Naturalization Service policy as it relates to the admission into the United States, its territories and possessions, to reflect current Department policy language for consistency in title 42, part 57 regulations.

Subpart G—Scholarship Grants to Schools of Medicine, Osteopathy, Dentistry, Optometry, Podiatry, Pharmacy, and Veterinary Medicine

Section 780(a) of the PHS Act, 42 U.S.C. 295g, as it was in effect for Scholarship Grants to Schools of Medicine, Osteopathy, Dentistry, Optometry, Podiatry, Pharmacy, and Veterinary Medicine was repealed by section 409(a) of Public Law 94-484, the Health Professions Educational Assistance Act of 1976 (90 Stat. 2290), effective October 1, 1976, which repealed subpart 1 of part F of title VII of the PHS Act. The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart G, consisting of §§ 57.601-57.613, and placing it in reserve status.

Subpart H—Grants for Physician Assistant Training Programs

This final regulation amends subpart H governing Grants for Physician Assistant Training Programs under section 788(d) of the PHS Act to:

1. Revise the section number of the Act from "783" to "788(d)" and the United States Code citation from "(42 U.S.C. 295g-3(a)(1))" to "(42 U.S.C. 295g-8(d))" wherever they appear in subpart H, as redesignated, in accordance with Public Law 100-607.

2. Change the word "osteopathy" wherever it appears in subpart H to read "osteopathic medicine", in accordance with Public Law 100-607.

3. Add or change the order of the words "nonprofit private" to read "private nonprofit" wherever they appear in subpart H when referring to a school or entity to reflect current Department policy language for consistency in title 42, part 57 regulations.

4. Change the term "health manpower shortage area" (or "areas") wherever it appears in subpart H to read "health professional shortage area" (or "areas"), in accordance with Public Law 101-597.

5. Revise § 57.702, entitled "Definitions.", to revise the definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

6. Revise § 57.703, entitled "Eligibility.", to add the words "is eligible to" before the word "apply" to reflect current Department policy language.

7. Revise § 57.704, entitled "Application.", to:

(a) Revise paragraph (a) with current Department grants policy language to reflect that eligible applicants shall submit an application as the Secretary may prescribe. Paragraph (a) is further revised by removing footnote 1 providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations; and

(b) Remove paragraph (c)(4) of this section from the application requirements. This requirement states, "Evidence that all applicable requirements of section 1513(e) of the Act have been met." Section 1513(e) of the PHS Act (42 U.S.C. 3001-2(e)), "Approval of the Use of Federal Funds," under title XV, National Health Planning and Development, was repealed by section 701(a) of Public Law 99-660 (100 Stat. 3799), effective January 1, 1987.

8. Revise § 57.705, entitled "Project requirements.", to revise paragraph (b)(2) to provide that the program must have received a "Letter of Review" rather than a "Letter of Support" and to provide the current title of the Accreditation Review Committee.

9. Revise § 57.706, entitled "Evaluation of applications.", to remove

language from paragraph (a)(4) which reads "including those identified by the Health Systems Agency and/or State Health Planning and Development Agency of the State or States in which the project will encourage graduates to practice". Health system agency reviews for training grant programs are no longer required due to the repeal of section 1513(e) of the PHS Act by Public Law 99-660 as stated above (see amendments to § 57.704(c)(4)).

10. Revise § 57.707, entitled "Grant award.", to amend paragraphs (a)(2), (a)(3), and (c) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

11. Revise § 57.709, entitled "Purposes for which grant funds must be spent?", to amend paragraph (c) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

12. Revise § 57.711, entitled "Records, audit, and inspection.", to reflect current Department policy language by:

(a) Revising the heading of the section to read "What other audit and inspection requirements apply to grantees?"; and

(b) Removing the word "recordkeeping" in the section text.

Subpart I—Programs for the Training of Physician Assistants

This final regulation amends subpart I governing the Programs for the Training of Physician Assistants under section 701(8)(B) of the PHS Act to:

1. Change the term "Health manpower shortage area" (or "areas") wherever it appears in subpart I to read "Health professional shortage area" (or "areas"), in accordance with Public Law 101-597.

2. Change the word "osteopathy" wherever it appears in subpart I to read "osteopathic medicine", in accordance with Public Law 100-607.

3. Revise § 57.803, entitled "Requirements.", to revise paragraph (a)(2) to provide that a program for the training of physician assistants must have received a "Letter of Review" rather than a "Letter of Support" and to provide the current title of the Accreditation Review Committee.

Subpart J—Scholarship Grants to Schools of Nursing

Section 845 (formerly section 860(d)) of the PHS Act, 42 U.S.C. 297j, as it was in effect for Scholarship Grants to Schools of Nursing was repealed by section 9 of Public Law 99-92, the Nurse Education Amendments of 1985 (99 Stat. 400), effective October 1, 1985, which repealed subpart III of part B of title VIII of the PHS Act. The Department is

therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart J, consisting of §§ 57.901-57.913, and placing it in reserve status.

Subpart K—Grants to Schools of Nursing for the Support of Their Educational Programs

Section 810 of the PHS Act, 42 U.S.C. 2986(e), as it was in effect for Grants to Schools of Nursing for the Support of Their Educational Programs was repealed by section 9 of Public Law 99-92, the Nurse Education Amendments of 1985 (99 Stat. 400), effective October 1, 1985. The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart K, consisting of §§ 57.1001-57.1014, and placing it in reserve status.

Subpart L—Grants for Residency Training and Advanced Education in the General Practice of Dentistry

This final regulation amends subpart L governing Grants for Residency Training and Advanced Education in the General Practice of Dentistry under section 785 of the PHS Act to:

1. Revise the section number of the Act from "786(b)" to "785" wherever it appears in subpart L, as redesignated, and the United States Code citation from "(42 U.S.C. 295g-6(b))" to "(42 U.S.C. 295g-5)", in accordance with Public Law 100-607.

2. Revise § 57.1101, entitled "To what projects do these regulations apply?", to add the words "public or private nonprofit" regarding the reference to schools of dentistry.

3. Revise § 57.1102, entitled "Definitions.", to revise the definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

4. Revise § 57.1103, entitled "What entities are eligible to apply for a grant?", to provide current Department policy language to reflect that any "public or private nonprofit" school of dentistry is "eligible" to apply for a grant.

5. Revise § 57.1104, entitled "How must an entity apply for a grant?", to revise paragraph (a) with current Department grants policy language to reflect that each entity shall submit an application as the Secretary may prescribe. Paragraph (a) is further revised by removing footnote ¹ providing the address for obtaining applications and instructions to reflect Department regulatory policy for consistency in title 42, part 57 regulations.

6. Revise § 57.1107, entitled "How will grant awards be made?", to amend paragraphs (a) (2), (3), and (4) and paragraph (b) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

7. Revise § 57.1109, entitled "Purposes for which grant funds may be spent.", to amend paragraph (b) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

8. Revise § 57.1111, entitled "What recordkeeping, audit, and inspection requirements apply to grantees?", to:

(a) Remove the word "recordkeeping" in the section heading and text to reflect current Department policy language; and
(b) Add at the end of the section the OMB control number regarding information collection requirements for this section.

9. Revise § 57.1112, entitled "What additional conditions apply to grantees?", to remove the parenthetical phrase at the end of the section citing an outdated OMB control number.

Subpart M—Financial Distress Grants to Health Professions Schools

Section 788(b) of the PHS Act, 42 U.S.C. 295g-8(b), as it was in effect for Financial Distress Grants to Health Professions Schools was repealed by section 2744(a)(1) of Public Law 97-35, the Omnibus Budget Reconciliation Act of 1981 (95 Stat. 923). Concurrently, effective August 13, 1981, section 2745 of Public Law 97-35 (95 Stat. 925) added section 788A of the PHS Act (42 U.S.C. 295g-8a), Financial Distress Grants. Subsequently, section 220(f)(1) of Public Law 99-129, the Health Professions Training Assistance Act of 1985 (99 Stat. 544) repealed section 788A (42 U.S.C. 295g-8a). The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart M, consisting of §§ 57.1201-57.1212, and placing it in reserve status.

Subpart N—Grants for Dental Team Practice Training Program

Section 2740(c)(1) of Public Law 97-35, the Omnibus Budget Reconciliation Act of 1981 (95 Stat. 922), amended section 783(a) to authorize provisions only for physician assistant training. Concurrently, section 2744 of Public Law 97-35 (95 Stat. 924) restructured the provisions in section 783(a)(3) for Dental Team Practice Training, and the provisions were subsumed under the authority of redesignated section 788(b), as it was in effect for Conversion and Curriculum Grants for Various Health Professions, 42 U.S.C. 295g-8.

Subsequently, the provisions under section 788(b) were amended by Public Law 99-129, the Health Professions Training Assistance Act of 1985, to provide for more broad provisions in health promotion and disease prevention, various curriculum development and training, and health professions initiatives. The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart N, consisting of §§ 57.1301-57.1314, and placing it in reserve status.

Subpart O—Grants To Assist New Schools of Medicine, Osteopathy, and Dentistry

Section 771(a) of the PHS Act, 42 U.S.C. 295f-1, as it was in effect for Grants to Assist New Schools of Medicine, Osteopathy, and Dentistry was "stricken out" by section 502 of Public Law 94-484, the Health Professions Educational Assistance Act of 1976 (90 Stat. 2293), effective with respect to fiscal years beginning after 9/30/77. The authority was broadened and the eligibility was extended to schools of medicine, osteopathy, dentistry, public health, veterinary medicine, optometry, podiatry, and pharmacy (MODPVOPP) (as it was in effect for section 770, as amended, Capitation Grants). Concurrently, section 801 of Public Law 94-484 (90 Stat. 2319) amended part F of title VII by adding section 788(a) of the PHS Act (42 U.S.C. 294g-8(a)), a new general authority, effective in FY 1978, for start-up assistance to schools of MODPVOPP. Subsequently, section 2744 of Public Law 97-35, the Omnibus Budget Reconciliation Act of 1981 (95 Stat. 923) repealed section 788(a) except to allow phase-out of existing grants. The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart O, consisting of §§ 57.1401-57.1415, and placing it in reserve status.

Subpart Q—Grants for Predoctoral, Graduate, and Faculty Development Education Programs in Family Medicine

This final regulation amends subpart Q governing Grants for Predoctoral, Graduate, and Faculty Development Education Programs in Family Medicine under section 786(a) of the PHS Act to:

1. Change the word "osteopathy" wherever it appears in subpart Q to read "osteopathic medicine", in accordance with Public Law 100-607.

2. Change the words "medical or osteopathic" wherever it appears in subpart Q to read "medical (M.D. or

D.O.), in accordance with Public Law 100-607.

3. Revise § 57.1602, entitled "Definitions.", to amend the following terms:

(a) The definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

(b) The definition of "School of medicine or osteopathy" to revise the name of the term as reflected in item #1 above in accordance with Public Law 100-607 and to reflect current Department policy language for consistency in title 42, part 57 definitions.

(c) The definition of "State" by inserting after the "Trust Territory of the Pacific Islands" the phrase "(the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia", in accordance with Public Law 99-239, the Compact of Free Association Act of 1985. This change is being made to update those entities that are viewed as States.

4. Revise § 57.1603, entitled "Who is eligible to apply for a grant?", by adding a paragraph (6) reflecting current Department grants policy language that eligible applicants shall submit an application as the Secretary may prescribe.

5. Revise § 57.1604, entitled "What requirements must a project meet?", to remove the parenthetical phrase at the end of the section citing an outdated OMB control number.

6. Revise § 57.1606, entitled "How long does grant support last?", to reflect current Department grants policy language for consistency in title 42, part 57 regulations to:

(a) Amend paragraph (b) by removing the second sentence which is repetitive of language regarding the submission of a separate application to receive consideration for continued support stated in the last sentence of paragraph (c) of this section;

(b) Amend paragraph (c) by adding a sentence regarding continuation support; and

(c) Remove paragraph (d) concerning federally obligated grant funds, and relocate it in § 57.1607, entitled "For what purposes may grant funds be spent?"

7. Revise § 57.1607, entitled "For what purposes may grant funds be spent?", by adding a paragraph (c) on the expenditure of any balance of federally obligated grant funds to reflect current Department grants policy language.

8. Revise § 57.1609, entitled "What other audit and inspection requirements apply to grantees?", by adding at the end of the section a parenthetical phrase

providing the current OMB control number regarding information collection requirements for this section.

Subpart R—Grants for the Establishment of Departments of Family Medicine

This final regulation amends subpart R governing Grants for the Establishment of Departments of Family Medicine under section 780 of the PHS Act to:

1. Change the word "osteopathy" wherever it appears in subpart R to read "osteopathic medicine", in accordance with Public Law 100-607.

2. Revise § 57.1702, entitled "Definitions.", to amend the following terms:

(a) The definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

(b) The definition of "School of medicine or osteopathy" to revise the name of the term as reflected in item #1 above, in accordance with Public Law 100-607, and to reflect current Department policy language for consistency in title 42, part 57 definitions.

(c) The definition of "State" by inserting after the "Trust Territory of the Pacific Islands" the phrase "(the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia", in accordance with Public Law 99-239, the Compact of Free Association Act of 1985. This change is being made to update those entities that are viewed as States.

3. Revise § 57.1703, entitled "Who is eligible to apply for a grant?", by adding a second sentence to the section text reflecting current Department grants policy language that eligible applicants shall submit an application as the Secretary may prescribe.

4. Revise § 57.1704, entitled "Program requirements.", by:

(a) Removing the phrase "required in § 57.1704(f)" in the first sentence of paragraph (f) as redundant language;

(b) Amending paragraph (g) by revising the phrase "required in § 57.1704(f) of this section" to clarify that the project must meet a requirement in paragraph (f) of this section; and

(c) Adding at the end of the section the OMB control number regarding information collection requirements for this section.

5. Revise § 57.1706, entitled "How long does grant support last?", to reflect current Department grants policy language for consistency in title 42, part 57 regulations to:

(a) Amend paragraph (b) by removing the second sentence which is repetitive of language regarding the submission of

a separate application to receive consideration for continued support stated in the last sentence of paragraph (c) of this section;

(b) Amend paragraph (c) by adding a sentence regarding continuation support; and

(c) Remove paragraph (d) concerning federally obligated grant funds, and relocate it in § 57.1707, entitled "For what purposes may grant funds be spent?"

6. Revise § 57.1707, entitled "For what purposes may grant funds be spent?", by adding a paragraph (c) on the expenditure of any balance of federally obligated grant funds to reflect current Department grants policy language.

7. Revise § 57.1709, entitled "What other audit and inspection requirements apply to grantees?", by adding at the end of the section a parenthetical phrase providing the OMB control number regarding information collection requirements for this section.

Subpart S—Educational Assistance to Individuals From Disadvantaged Backgrounds

This final rule amends subpart S governing the program for Educational Assistance to Individuals from Disadvantaged Backgrounds under section 787 of the PHS Act to:

1. Revise § 57.1802, entitled "Definitions.", to amend the definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

2. Revise § 57.1803, entitled "Who is eligible to apply for a grant?", by removing footnote ¹ in paragraph (a) providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations.

3. Revise § 57.1805, entitled "Program requirements.", to amend paragraph (a) (2) to:

(a) Add statutory language clarifying the need to provide preliminary education to individuals from disadvantaged backgrounds "for a period prior to their entry into a regular course of education designed to assist them to complete successfully such regular course of education" in a health professions school or school of allied health; and

(b) Revise the second sentence defining preliminary education to clarify that preliminary education is designed to expand the academic ability of such individuals during their "preprofessional training."

4. Revise § 57.1809, entitled "What additional Department regulations apply to grantees?", by revising the footnote number and the footnote reference to "45 CFR part 83".

Subpart V—Grants for Centers for Excellence

This final regulation amends subpart V governing Grants for Centers for Excellence under section 782 of the PHS Act to:

1. Revise the heading of subpart V to read "Grants for Centers of Excellence", in accordance with the Disadvantaged Minority Health Improvement Act of 1990, Public Law 101-527.

2. Revise § 57.2102, entitled "Definitions.", to amend the following terms:

(a) "Health professions school" by:

- (1) Changing the word "osteopathy" to "osteopathic medicine" and the word "podiatry" to "podiatric medicine", in accordance with Public Law 100-607; and
- (2) Adding a comma and the words "or graduate programs in clinical psychology" after the words "in health administration" to reflect the current definition as set forth in section 701(4) of the PHS Act.

(b) "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

3. Revise § 57.2103, entitled "Who is eligible to apply for a grant?" to remove footnote 1 providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations.

4. Revise § 57.2107, entitled "For what purposes may grants funds be spent?", to amend paragraph (b) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

5. Revise § 57.2108, entitled "What additional Department regulations apply to schools?", by revising the footnote number and the footnote reference to "45 CFR part 83".

6. Revise § 57.2109, entitled "What other audit and inspection requirements apply to grantees?", to remove the "Effective Date Note" at the end of the section and add in its place a parenthetical phrase providing the current OMB control number regarding information collection requirements for this section.

Subpart Y—Grants for Nurse Practitioner and Nurse Midwifery Programs

This final regulation amends subpart Y governing Grants for Nurse

Practitioner and Nurse Midwifery Programs under section 822(a) of the PHS Act to:

1. Change the order of the words "nonprofit private" to read "private nonprofit" wherever they appear in subpart Y when referring to a school or entity to reflect current Department policy language for consistency in title 42, part 57 regulations.

2. Revise § 57.2402, entitled "Definitions.", to amend the definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

3. Revise § 57.2404, entitled "Application.", to:

(a) Remove footnote 1 in paragraph (a) providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations; and

(b) Remove paragraph (c)(8) from the application requirements. This requirement states, "Evidence that all applicable requirements of section 1513(e) of the Act have been met." Section 1513(e) of the PHS Act (42 U.S.C. 3001-2(e)), "Approval of the Use of Federal Funds," under title XV, National Health Planning and Development, was repealed by section 701(a) of Public Law 99-660 (100 Stat. 3799), effective January 1, 1987.

4. Revise § 57.2406, entitled "Evaluation and grant awards." to revise paragraph (a)(2)(i) to change the term "health manpower shortage areas" to read "health professional shortage areas", in accordance with Public Law 101-597.

5. Revise § 57.2408, entitled "Expenditure of grant funds.", to amend paragraph (b) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

6. Revise the appendix to subpart Y, paragraph C.1., Student Enrollment, to change the enrollment of the number of full-time equivalent students in each class from "eight" to "six", in accordance with Public Law 100-607.

Subpart Z—Grants for Advanced Nurse Education Programs

This final regulation amends subpart Z governing Grants for Advanced Nurse Education Programs under section 821 of the PHS Act to:

1. Revise § 57.2502, entitled "Definitions.", to amend the following terms:

(a) The definition of "Council" to reflect the current name of the Advisory Council on Nurses Education;

(b) The definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions; and

(c) The definition of "State" to reflect current Department policy language for consistency in title 42, part 57 definitions.

2. Revise § 57.2504, entitled "Application.", to:

(a) Revise paragraph (a) with current Department grants policy language regarding the submission of applications at such time as the Secretary may prescribe;

(b) Remove footnote 1 in paragraph (a) providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations; and

(c) Remove the "Editorial Note" at the end of the section.

3. Revise § 57.2508, entitled "Expenditure of grant funds.", to amend paragraph (b) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

Subpart AA—Grants for Nurse Practitioner and Nurse Midwifery Traineeship Programs

This final regulation amends subpart AA governing Grants for Nurse Practitioner and Nurse Midwifery Traineeship Programs under section 822(b) of the PHS Act to:

1. Change the order of the words "nonprofit private" to read "private nonprofit" wherever it appears in subpart AA to reflect current Department policy language for consistency in title 42, part 57 regulations.

2. Change the term "health manpower shortage area" (or "areas") wherever it appears in subpart AA to read "health professional shortage area" (or "areas"), in accordance with Public Law 101-597.

3. Revise § 57.2602, entitled "Definitions.", to amend the term "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

4. Revise § 57.2603, entitled "Who is eligible to apply for a grant?", by removing footnote 1 providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations.

5. Revise § 57.2607, entitled "For what purposes may grant funds be spent?", to amend paragraph (c) to reflect current Department grants policy language for

consistency in title 42, part 57 regulations.

6. Revise § 57.2610, entitled "What are the requirements for traineeships and the appointment of trainees?", to remove the parenthetical phrase at the end of the section citing an outdated OMB control number.

7. Revise § 57.2612, entitled "Termination of traineeships.", to remove the parenthetical phrase at the end of the section citing an outdated OMB control number.

8. Revise § 57.2613, entitled "What must a trainee agree to do in return for traineeship support?", to remove the parenthetical phrase at the end of the section citing an outdated OMB control number.

9. Revise § 57.2615, entitled "When can the practice or payment obligation be waived or suspended?", to remove the parenthetical phrase at the end of the section citing an outdated OMB control number.

10. Revise § 57.2616, entitled "What additional Department regulations apply to schools?", by revising the footnote number and the footnote reference to "45 CFR part 83".

Subpart CC—Scholarships for First-Year Students of Exceptional Financial Need

This final regulation amends subpart CC governing Scholarships for First-Year Students of Exceptional Financial Need under section 758 of the PHS Act to:

1. Revise the heading of subpart CC by removing the words "First-Year" to reflect the statutory change to make students in all class-years eligible for scholarships, in accordance with Public Law 100-607.

2. Revise the word "osteopathy" wherever it appears in subpart CC to read "osteopathic medicine", in accordance with Public Law 100-607.

3. Revise § 57.2801, entitled "To what programs do these regulations apply?", to remove the words "first-year" to reflect that students in all class-years are eligible for scholarships, in accordance with Public Law 100-607.

4. Revise § 57.2802, entitled "Definitions.", to amend the following terms:

(a) The definition of "First year of study" is removed to reflect the current authority to make students in all class-years eligible for scholarships.

(b) The definition of "Health professions school" or "school" by revising the word "podiatry" to "podiatric medicine", in accordance with Public Law 100-607, and to make other minor changes to reflect current Department policy language for

consistency in title 42, part 57 definitions.

(c) The definition of "State" by inserting after the "Trust Territory of the Pacific Islands" the phrase "(the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia", in accordance with Public Law 99-239, the Compact of Free Association Act of 1985. This change is being made to update those entities that are viewed as States. Other minor changes are made to reflect current Department policy language for consistency in title 42, part 57 definitions.

5. Revise § 57.2803, entitled "How to apply for a grant.", to:

(a) Revise paragraph (a) with current Department grants policy language to reflect that eligible applicants shall submit an application as the Secretary may prescribe; and

(b) Add at the end of the section a parenthetical phrase providing the OMB control number regarding information collection requirements for this section.

6. Revise § 57.2804, entitled "Students eligible for scholarships.", to:

(a) Revise paragraph (a)(1) concerning an eligible individual's citizenship status, the Immigration and Naturalization Service policy as it relates to the admission into the United States, its territories and possessions, to reflect current Department policy language for consistency in title 42, part 57 regulations;

(b) Revise paragraph (a)(2) to remove the words "in the first-year of study" to reflect that students in all class-years are eligible for scholarships, in accordance with Public Law 100-607;

(c) Remove the phrase in paragraph (b)(2) "and published under 45 CFR 144.13", since it is no longer used by the Department of Education. The need analysis methodologies are now authorized under part F of title IV of the Higher Education Act of 1965, as amended; and

(d) Add at the end of the section a parenthetical phrase providing the OMB control number regarding information collection requirements for this section.

7. Revise § 57.2805, entitled "Amount of scholarship award.", to remove the phrase "for the first year of study" to reflect that a portion of the scholarship award will consist of the tuition "in such school year".

8. Revise § 57.2806, entitled "How is the amount of grant award determined?", to remove the phrase "for the first year of study at the school" in paragraph (c)(1) to reflect the current authority regarding the award of scholarship funds to any student with no financial resources.

9. Revise § 57.2808, entitled "What additional Departmental regulations apply to grantees?" to revise the word "Departmental" in the section heading to "Department".

10. Revise § 57.2809, entitled "What other records, audit, and inspection requirements apply to grantees?" to add at the end of the section a parenthetical phrase providing the current OMB control number regarding information collection requirements for this section.

Subpart DD—Financial Assistance for Disadvantaged Health Professions Students

This final regulation amends subpart DD governing Financial Assistance for Disadvantaged Health Professions Students under section 787 (a)(2)(F) and (b) of the PHS Act to:

1. Revise § 57.2902, entitled "Definitions.", to amend the definition of "State" by inserting after the "Trust Territory of the Pacific Islands" the phrase "(the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia", in accordance with Public Law 99-239, the Compact of Free Association Act of 1985. This change is being made to update those entities that are viewed as States. Additionally, the footnote to the definition of "State" is removed.

2. Revise § 57.2904, entitled "Eligibility and selection of aid recipients.", to:

(a) Revise paragraph (a)(1) concerning an eligible individual's citizenship status, the Immigration and Naturalization Service policy as it relates to the admission into the United States, its territories and possessions, to reflect current Department policy language for consistency in title 42, part 57 regulations; and

(b) Revise paragraph (b)(1)(i) by removing the phrase "and published under 34 CFR 674.13", since it is no longer used by the Department of Education. The need analysis methodologies are now authorized under part F of title IV of the Higher Education Act of 1965, as amended.

Subpart EE—Grants for Residency Training in Preventive Medicine

This final regulation amends subpart EE governing Grants for Residency Training in Preventive Medicine under section 788(c) of the PHS Act to:

1. Revise the section number of the Act from "793" to "788(c)" and the United States Code citation from "(42 U.S.C. 295h-1c)" to "(42 U.S.C. 295g-8(e))" wherever they appear in subpart EE, as redesignated, in accordance with Public Law 100-607.

2. Change the word "osteopathy" wherever it appears in subpart EE to read "osteopathic medicine", in accordance with Public Law 100-607.

3. Revise § 57.3002, entitled "Definitions.", to amend the following terms:

(a) The definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions; and

(b) The definition of "State" by inserting after the "Trust Territory of the Pacific Islands" the phrase "(the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia", in accordance with Public Law 99-239, the Compact of Free Association Act of 1985. This change is being made to update those entities that are viewed as States.

4. Revise § 57.3003, entitled "Who is eligible to apply for a grant?", to:

(a) Amend the section text to reflect current Department grants policy language for consistency in title 42, part 57 regulations; and

(b) Revise the parenthetical phrase at the end of the section to reflect the current OMB control number regarding information collection requirements for this section.

5. Revise § 57.3004, entitled "Project requirements.", to remove the "Editorial Note" at the end of the section and add in its place a parenthetical phrase providing the current OMB control number regarding information collection requirements for this section.

6. Revise § 57.3006, entitled "How long does grant support last?", to reflect current Department grants policy language for consistency in title 42, part 57 regulations to:

(a) Amend paragraph (b) by removing the second sentence which is repetitive of language regarding the submission of a separate application to receive consideration for continued support stated in the last sentence of paragraph (c) of this section;

(b) Amend paragraph (c) by adding a sentence regarding continuation support; and

(c) Remove paragraph (d) concerning federally obligated grant funds, and relocate it in § 57.3008, entitled "For what purposes may grant funds be spent?".

7. Revise § 57.3007, entitled "How is the amount of the grant award determined?", to remove the "Editorial Note" at the end of the section and add in its place a parenthetical phrase providing the OMB control number regarding information collection requirements for this section.

8. Revise § 57.3008, entitled "For what purposes may grant funds be spent?", by

adding a paragraph (c) on the expenditure of any balance of federally obligated grant funds to reflect current Department grants policy language.

9. Revise § 57.3010, entitled "What other audit and inspection requirements apply to grantees?", to remove the "Editorial Note" at the end of the section and add in its place a parenthetical phrase providing the OMB control number for information collection requirements for this section.

Subpart FF—Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics

This final regulation amends subpart FF governing Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics under section 784 of the PHS Act to:

1. Change the word "osteopathy" wherever it appears in subpart FF to read "osteopathic medicine", in accordance with Public Law 100-607.

2. Revise § 57.3102, entitled "Definitions.", to:

(a) Change the term "Health manpower shortage area" to read "Health professional shortage area", in accordance with Public Law 101-597.

(b) Revise the definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions.

3. Revise § 57.3103, entitled "Who is eligible to apply for a grant?", to remove footnote ¹ providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations.

4. Revise § 57.3107, entitled "How long does grant support last?", to amend paragraph (b) by removing the second sentence which is repetitive of language regarding the submission of a separate application to receive consideration for continued support stated in the last sentence of paragraph (c) of this section.

5. Revise § 57.3109, entitled "For what purposes may grant funds be spent?", to amend paragraph (c) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

6. Revise § 57.3110, entitled "What additional department regulations apply to grantees?", to capitalize the word "department" in the section heading.

Subpart GG—Payment for Tuition and Other Educational Costs

This final regulation amends the existing regulations authorized under section 710 of the PHS Act that establish

the criteria (set out in subpart GG) to be used in determining allowable increases in tuition and other educational costs for which the Secretary is responsible for payment. This rule amends § 57.3201 by:

1. Revising the outdated section numbers and United States Code citations for the first two scholarship programs listed under § 57.3201; and

2. Removing the reference to the program for "Scholarships for First-Year Students of Exceptional Financial Need" (sec. 758 of the PHS Act).

Public Law 100-607 made amendments to section 758 to leave to the school's discretion whether to pay all or part of the tuition and other educational expenses. The statutory amendment to sec. 758 states "a scholarship provided to a student for a school year * * * may consist of all or part payment to, or * * * on behalf of the student." Because the Federal Government no longer is required to pay full tuition, the authority in section 710 relating to allowable increases in tuition ceases to be relevant to the scholarship program authorized by section 758. The reference to the program "Scholarships for First-Year Students for Exceptional Financial Need", listed in § 57.3201, subpart GG, is therefore removed.

Subpart II—Grants for Programs for the Training of Expanded Function Dental Auxiliaries

Section 2740(c)(1) of Public Law 97-35, the Omnibus Budget Reconciliation Act of 1981, 95 Stat. 922, amended section 783(a) to authorize provisions only for physician assistant training.

Concurrently, section 2744 of Public Law 97-35 (95 Stat. 924) restructured the provisions in section 783(a)(2) for Grants for Programs for the Training of Expanded Function Dental Auxiliaries, and the provisions were subsumed under the authority of redesignated section 788(b), as it was in effect for Conversion and Curriculum Grants for Various Health Professions, 42 U.S.C. 295g-8. Subsequently, the provisions under section 788(b) were amended by Public Law 99-129, the Health Professions Training Assistance Act of 1985, to expand the provisions in health promotion and disease prevention, various curriculum development and training, and health professions initiatives. The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart II, consisting of §§ 57.3401-57.3413, and placing it in reserve status.

Subpart JJ—Capitation Grants for Schools of Public Health

Sections 770-772 of the PHS Act, 42 U.S.C. 295f, as it was in effect for Capitation Grants for Schools of Public Health was repealed by section 773 of Pub. L. 100-607, the Health Professions Reauthorization Act of 1988 (102 Stat. 3127), effective October 1, 1990 (sunset provision), which repealed part E of title VII of the PHS Act. The Department is therefore removing from title 42, part 57 of the Code of Federal Regulations this program under subpart JJ, consisting of §§ 57.3501-57.3510, and placing it in reserve status.

Subpart NN—Grants for Various Health Professions Projects

This final regulation amends subpart NN governing Grants for Various Health Professions Projects under section 788(b) of the PHS Act to:

1. Revise § 57.3902, entitled "Definitions.", to amend the following terms:

(a) The definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions; and

(b) The definition of "State" by inserting after the "Trust Territory of the Pacific Islands" "(the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia", in accordance with Public Law 99-239, the Compact of Free Association Act of 1985. This change is being made to update those entities that are viewed as States.

2. Revise § 57.3906, entitled "How long does grant support last?", to reflect current Department grants policy language for consistency in title 42, part 57 regulations to:

(a) Amend paragraph (b) by removing the second sentence which is repetitive of language regarding the submission of a separate application to receive consideration for continued support stated in the last sentence of paragraph (c) of this section;

(b) Amend paragraph (c) by adding a sentence regarding continuation support; and

(c) Remove paragraph (d) concerning federally obligated grant funds, and relocate it in § 57.3907, entitled "For what purposes may grant funds be spent?".

3. Revise § 57.3907, entitled "For what purposes may grant funds be spent?", by adding a paragraph (c) on the expenditure of any balance of federally obligated grant funds to reflect current Department grants policy language.

4. Revise § 57.3908, entitled "What additional Departmental regulations apply to grantees?", to:

(a) Revise the word "Departmental" in the section heading to "Department";

(b) Add an introductory text to the section to indicate what other regulations apply to grants under this subpart.

Subpart OO—Grants for Health Professions Projects in Geriatrics

This final regulation amends subpart OO governing Grants for Health Professions Projects in Geriatrics under section 789(a) of the PHS Act to:

1. Change the word "osteopathy" wherever it appears in subpart OO to read "osteopathic medicine", in accordance with Public Law 100-607.

2. Revise § 57.4001, entitled "To what projects do these regulations apply?" to revise the section number of the Act from "788 (d)" to "789 (a)".

3. Revise § 57.4002, entitled "Definitions.", to amend the following terms:

(a) The definition of "Allied health professional" to revise the words "an individual" to read "a health professional", in accordance with Public Law 100-607;

(b) The definition of "Health professional" to clarify the list of professionals, which includes "nurse" to read "professional nurse", and "nurse practitioner" in accordance with established definitions codified in title 42, part 57 definitions;

(c) The definition of "Health professions school" to:

(1) Change the word "podiatry" to read "podiatric medicine", in accordance with Public Law 100-607; and

(2) Incorporate the disciplines of "chiropractic, graduate programs in health administration, or graduate programs in clinical psychology" to conform to the current definition as defined in section 701(4) of the PHS Act;

(d) The definition of "Nonprofit" to reflect current Department policy language for consistency in title 42, part 57 definitions;

(e) The definition of "School of allied health" to incorporate "or hospital-based educational entity" as another entity to provide a program of education for allied health professionals, in accordance with Public Law 100-607; and

(f) The definition of "Training and retraining of faculty" to change the section number of the Act from "788(e) (3)" to read "789(b)(3)".

4. Revise § 57.4003, entitled "Who is eligible to apply for a grant?" to:

(a) Add the word "private" before the word "nonprofit"; and

(b) Remove footnote ¹ providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations.

5. Revise § 57.4005, entitled "How will applications be evaluated?", by revising the section number of the Act in paragraph (a) from "788(d)(2)(B)" to "789(a)(2)(A)".

6. Revise § 57.4007, entitled "For what purposes may grant funds be spent?", to amend paragraph (c) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

7. Revise § 57.4009, entitled "What other audit and inspection requirements apply to grantees?", to revise the parenthetical phrase at the end of the section providing the current OMB control number.

Subpart PP—Grants for Faculty Training Projects in Geriatric Medicine and Dentistry

This final regulation amends subpart PP governing Grants for Faculty Training Projects in Geriatric Medicine and Dentistry under section 789(b) of the PHS Act to:

1. Revise § 57.4103, entitled "Who is eligible to apply for a grant?", to:

(a) Remove footnote ¹ providing the address for obtaining applications and instructions to reflect current Department regulatory policy for consistency in title 42, part 57 regulations; and

(b) Add at the end of the section the OMB control number regarding information collection requirements for this section.

2. Revise § 57.4107, entitled "How long does grant support last?", by revising the last sentence in paragraph (a) to change the time allowance of a project period from "3 years" to "not exceed 5 years", in accordance with current grants policy for this program.

3. Revise § 57.4111, entitled "Duration of fellowships.", to clarify that fellowship assistance for participants in a 1-year fellowship program "and a 1-year" retraining program is limited to 12 months.

4. Revise § 57.4113, entitled "For what purposes may grant funds be spent?", to amend paragraph (c) to reflect current Department grants policy language for consistency in title 42, part 57 regulations.

Justification for Omitting Notice of Proposed Rulemaking

Since these amendments are of a technical and ministerial nature, the Secretary has determined, pursuant to 5 U.S.C. 553 and departmental policy that it is unnecessary and impractical to follow proposed rulemaking procedures or to delay the effective date of these regulations.

Regulatory Flexibility Act and Executive Order 12291

These regulations govern financial assistance programs in which participation is voluntary. The rule will neither exceed the threshold level of \$100 million established in section (b) of Executive Order 12291 nor does it meet any of the additional criteria contained in the Executive Order. For these reasons, the Secretary has determined that this rule is not a major rule under Executive Order 12291 and a regulatory impact analysis is not required. Further, because this rule does not have a significant economic impact on a substantial number of small entities, a regulatory flexibility analysis under the Regulatory Flexibility Act of 1980 is not required.

Paperwork Reduction Act of 1980

The following list of subparts in this final rule contains information collection language which have been approved by the Office of Management and Budget under the Paperwork Reduction Act of 1980 and have been assigned control numbers for each affected section as listed below under each subpart.

Section No.	OMB control No.
Subpart C—Health Professions Student Loan Program	
§ 57.206	0915-0047
§ 57.208	0915-0047
§ 57.210	0915-0047, 0094
§ 57.211	0915-0047
§ 57.212	0915-0047
§ 57.215	0915-0047
§ 57.216a	0915-0047
Subpart D—Nursing Student Loan Program	
§ 57.306	0915-0047
§ 57.308	0915-0047
§ 57.310	0915-0094
§ 57.311	0915-0047
§ 57.312	0915-0047
§ 57.315	0915-0047
§ 57.316a	0915-0047
Subpart F—Grants for Nurse Anesthetist Traineeships	
§ 57.509	0915-0060
§ 57.510	0915-0060
§ 57.512	0915-0060
Subpart H—Grants for Physician Assistant Training Programs	
§ 57.704	0915-0060
§ 57.705	0915-0060
§ 57.711	0915-0060

Section No.	OMB control No.
Subpart L—Grants for Residency Training and Advanced Education in the General Practice of Dentistry	
§ 57.1104	0915-0060
§ 57.1111	0915-0060
Subpart Q—Grants for Predoctoral, Graduate, and Faculty Development Education Programs in Family Medicine	
§ 57.1609	0915-0060
Subpart R—Grants for the Establishment of Departments of Family Medicine	
§ 57.1704	0915-0060
§ 57.1709	0915-0060
Subpart S—Educational Assistance to Individuals From Disadvantaged Backgrounds	
§ 57.1810	0915-0060
Subpart V—Grants for Centers of Excellence	
§ 57.2109	0905-0060
Subpart Y—Grants for Nurse Practitioner and Nurse Midwifery Programs	
§ 57.2404	0915-0060
§ 57.2405	0915-0060
Subpart Z—Grants for Advanced Nurse Education Programs	
§ 57.2504	0915-0060
Subpart CC—Scholarships for Students of Exceptional Financial Need	
§ 57.2803	0915-0028
§ 57.2804	0915-0028
§ 57.2809	0915-0028
Subpart DD—Financial Assistance for Disadvantaged Health Professions Students	
§ 57.2904	0915-0110
§ 57.2909	0915-0110
Subpart EE—Grants for Residency Training in Preventive Medicine	
§ 57.3003	0915-0060
§ 57.3004	0915-0060
§ 57.3007	0915-0060
§ 57.3010	0915-0060
Subpart FF—Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics	
§ 57.3104	0915-0060
§ 57.3111	0915-0060
Subpart OO—Grants for Health Professions Projects in Geriatrics	
§ 57.4009	0915-0060
Subpart PP—Grants for Faculty Training Projects in Geriatric Medicine and Dentistry	
§ 57.4103	0915-0060
§ 57.4110	0915-0060
§ 57.4112	0915-0060
§ 57.4115	0915-0060

List of Subjects in 42 CFR Part 57

Dental health, Education of the disadvantaged, Educational facilities, Educational study programs, Grant programs—education, Grants programs—health, Health facilities, Loan programs—health, Medical and dental schools, Student Aid.

Dated: July 9, 1992.

James O. Mason,

Assistant Secretary for Health.

Approved: August 18, 1992.

Louis W. Sullivan,

Secretary.

Accordingly, 42 CFR part 57 is amended to read as set forth below:

PART 57—GRANTS FOR CONSTRUCTION OF TEACHING FACILITIES, EDUCATIONAL IMPROVEMENTS, SCHOLARSHIPS AND STUDENT LOANS

Subpart C—Health Professions Student Loans

1. The authority for subpart C continues to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended, 63 Stat. 35 (42 U.S.C. 216); secs. 740-747, Public Health Service Act, 77 Stat. 170-173, 90 Stat. 2266-2268, 91 Stat. 390-391, 95 Stat. 920, 99 Stat. 532-536, and as amended by 102 Stat. 3125 (42 U.S.C. 294m-q).

§ 57.203 [Amended]

2. Section 57.203 is amended by removing footnote ¹ in paragraph (a); and by removing the parenthetical phrase at the end of the section text.

§ 57.208 [Amended]

3. Section 57.208 is amended by revising the parenthetical phrase at the end of the section to read "(Approved by the Office of Management and Budget under control number 0915-0047)".

§ 57.210 [Amended]

4. Section 57.210 is amended by removing both parenthetical phrases at the end of the section and adding in their place the following phrase "(Approved by the Office of Management and Budget under control numbers 0915-0047 and 0915-0094)".

§ 57.213a [Amended]

5. Section 57.213a is amended by removing the parenthetical phrase at the end of the section.

§ 57.215 [Amended]

6. Section 57.215 is amended by revising the phrase "45 CFR Part 74" to read "45 CFR part 74" in paragraph (a)(3); and by revising the parenthetical phrase at the end of the section to read "(Approved by the Office of Management and Budget under control number 0915-0047)".

7. Section 57.216 is amended by revising the footnote number and the footnote reference to "45 CFR part 83" from "2" to "1"; and by adding in

numerical order a CFR citation to read as follows:

§ 57.216 What additional Department regulations apply to schools?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

Subpart D—Nursing Student Loans

1. The authority for subpart D continues to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended, 67 Stat. 631 (42 U.S.C. 216); secs. 835–842, Public Health Service Act, 77 Stat. 913–916, as amended, 99 Stat. 397–400, 536–537, and as amended by 102 Stat. 3160–3161 (42 U.S.C. 297 a–i).

§ 57.303 [Amended]

2. Section 57.303 is amended by removing footnote ¹ in paragraph (e); and by removing the parenthetical phrase at the end of the section.

§ 57.308 [Amended]

3. Section 57.308 is amended by revising the parenthetical phrase at the end of the section to read "(Approved by the Office of Management and Budget under control number 0915–0047)".

§ 57.310 [Amended]

4. Section 57.310 is amended by revising the footnote number and the footnote reference to paragraph (a)(1)(iii) from "2" to "1"; by revising the word "repayment" in the first sentence of paragraph (b)(2)(i) to read "repayment"; and by removing the parenthetical phrases at the end of the section and adding in their place the following phrase "(Approved by the Office of Management and Budget under control number 0915–0094)".

§ 57.313 [Amended]

5. Section 57.313 is amended by removing the parenthetical phrase at the end of the section.

§ 57.314 [Amended]

6. Section 57.314 is amended by revising the footnote number and the footnote reference to the section heading from "3" to "2".

§ 57.315 [Amended]

7. Section 57.315 is amended by revising the parenthetical phrase at the end of the section to read "(Approved by the Office of Management and Budget under control number 0915–0047)".

8. Section 57.316 is amended by revising the footnote number and the footnote reference to "45 CFR part 83" from "4" to "3"; and by adding in numerical order a CFR citation to read as follows:

§ 57.316 What additional Department regulations apply to schools?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

Subpart F—Grants for Nurse Anesthetist Traineeships

1. The authority for subpart F is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 67 Stat. 631 (42 U.S.C. 216); sec. 831(a) of the Public Health Service Act, 93 Stat. 580, 98 Stat. 2061, and as amended by 99 Stat. 396–397 (42 U.S.C. 297–1).

2. Section 57.502 is amended by removing from paragraph (2) in the definition of "Nurse anesthetist training program" the slash symbol and the word "Schools"; by removing the acronym "(HHS)" from the definition of "Secretary"; and by revising the definition of "Nonprofit" to read as follows:

§ 57.502 Definitions.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

§ 57.503 [Amended]

3. Section 57.503 is amended by removing footnote ¹ to the section.

§ 57.505 [Amended]

4. Section 57.505 is amended by removing the second sentence in paragraph (b).

5. Section 57.507 is amended by revising the first sentence of paragraph (c) to read as follows:

§ 57.507 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of the budget period may be carried forward provided

specific approval is granted by the Secretary. * * *

6. Section 57.508 is amended in paragraph (b) by removing the word "Secretary" at the end of the first sentence and adding in its place the words "Public Health Service."; and by revising paragraph (c) to read as follows:

§ 57.508 What financial support is available to trainees?

(c) A transportation allowance for travel to field training if the site is beyond a reasonable commuting distance and requires the trainee to establish a temporary new residence. However, the grantee may not pay an allowance for daily commuting from the new place of residence to the field training headquarters.

7. Section 57.509 is amended by removing the "Effective Date Note" at the end of the section and adding in its place a parenthetical phrase, and by revising paragraph (a) to read as follows:

§ 57.509 Who is eligible for financial assistance as a trainee?

(a) Be a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Trust Territory of the Pacific Islands (TTPI) (consisting of the Republic of Palau), or a citizen of the Republic of the Marshall Islands or the Federated States of Micronesia (both formerly part of the TTPI);

(Approved by the Office of Management and Budget under control number 0915–0060)

§ 57.510 [Amended]

8. Section 57.510 is amended by removing the "Effective Date Note" at the end of the section and adding in its place the following parenthetical phrase "(Approved by the Office of Management and Budget under control number 0915–0060)".

§ 57.512 [Amended]

9. Section 57.512 is amended by removing the "Effective Date Note" at the end of the section and adding in its place the following parenthetical phrase "(Approved by the Office of Management and Budget under control number 0915–0060)".

10. Section 57.513 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.513 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

Subpart G—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart G (consisting of §§ 57.601 through 57.613).

Subpart H—Grants for Physician Assistant Training Programs

1. The authority for subpart H is revised to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 783(a)(1), Public Health Service Act, 90 Stat. 2314, and 99 Stat. 524 (42 U.S.C. 295g-3(a)(1)); redesignated as sec. 788(d) and amended by 102 Stat. 3135 (42 U.S.C. 295g-8(d)).

2. Section 57.701 is revised to read as follows:

§ 57.701 Applicability.

The regulations in this subpart apply to the award of grants to public or private nonprofit schools of medicine or osteopathic medicine, and other public or private nonprofit entities under section 788(d) of the Public Health Service Act (42 U.S.C. 295g8(d)) to meet the costs of projects to plan, develop, and operate or maintain programs for the training of physician assistants.

3. Section 57.702 is amended by revising the word "osteopathy" to read "osteopathic medicine" in the definition of "Physician assistant"; by revising the term "Health manpower shortage area" to read "Health professional shortage area"; and by removing the term "School of medicine or school of osteopathy" and adding in its place the term "School of medicine or school of osteopathic medicine" and revising the definition; and by revising the definition of "Nonprofit" to read as follows:

§ 57.702 Definitions.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

School of medicine or "school of osteopathic medicine" means a public or private nonprofit school which provides training leading respectively to a degree of doctor of medicine or a degree of doctor of osteopathic medicine, and which is accredited as provided in section 701(5) of the Act.

4. Section 57.703 is revised to read as follows:

§ 57.703 Eligibility.

Any public or private nonprofit school of medicine or osteopathic medicine or public or private nonprofit entity located in a State is eligible to apply for a grant under this subpart.

5. Section 57.704 is amended by removing paragraph (c) (4); by revising the section number of the Act in paragraph (c) (1) from "783" to "788(d)"; and by removing footnote 1 in paragraph (a) and revising paragraph (a) read as follows:

§ 57.704 Application.

(a) Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

6. Section 57.705 is amended by removing the parenthetical authority citation at the end of the section; and by revising paragraph (b) to read as follows:

§ 57.705 Project requirements.

(b) The program must (1) be accredited as an Educational Program for the Physician Assistant by the American Medical Association's Committee on Allied Health Education and Accreditation, or (2) have received a Letter of Review from the Accreditation Review Committee on Education for the Physician Assistant.

7. Section 57.706 is amended by revising the section number of the Act in paragraph (a) (2) from "783" to "788(d)"; and by revising paragraphs (a) (4) and (5) to read as follows:

§ 57.706 Evaluation of applications.

(a) * * *

(4) The local, regional, and national needs the project proposes to serve;

(5) The adequacy of the project's plan for placing graduates in health professional shortage areas;

8. Section 57.707 is amended by revising the section number of the Act in paragraph (a) (1) from "783" to "788(d)"; and by revising paragraphs (a) (2), (a) (3), and (c) to read as follows:

§ 57.707 Grant award.

(a) * * *

(2) The notice of grant award specifies the length of time the Secretary intends to support the project without requiring the project to re compete for funds. This period, called the project period, will not exceed 5 years.

(3) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other award with respect to any approved project or portion of an approved project. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

(c) Generally, the grant will initially be funded for 1 year, and subsequent continuation awards will also be for 1 year at a time. Decisions regarding continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, existence of legislative authority, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

9. Section 57.709 is amended in paragraph (a) by revising the section number of the Act from "783" to "788(d)"; by revising paragraph (b); and by revising the first sentence of paragraph (c) to read as follows:

§ 57.709 Purposes for which grant funds must be spent.

(b) Grant funds may not be spent for sectarian instruction or for any religious purpose.

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary.

10. Section 57.710 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.710 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

11. Except for the Office of Management and Budget control number at the end of the section, § 57.711 is revised to read as follows:

§ 57.711 What other audit and inspection requirements apply to grantees?

Each entity which receives a grant under this subpart must, in addition to the requirements of 45 CFR part 74, meet the requirements of section 705 of the Act, concerning audit and inspection.

Subpart I—Programs for the Training of Physician Assistants

1. The authority for subpart I is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 701(b)(B), 90 Stat. 2247, as amended by 95 Stat. 913 and 99 Stat. 525–526 (42 U.S.C. 292a(8)(B)).

§ 57.802 [Amended]

2. Section 57.802 is amended by revising the term "Health manpower shortage area" to read "Health professional shortage area"; and by revising the word "osteopathy" to read "osteopathic medicine" in the introductory paragraph of the definition of "Physician assistant".

3. Section 57.803 is amended by revising the word "osteopathy" to read "osteopathic medicine" in paragraph (b); by revising the words "one academic year" to read "1 academic year" in paragraph (d), and the words "four months" to read "4 months" in paragraph (e); by revising the word "manpower" to read "professional" in paragraphs (g) and (h); and by revising paragraph (a)(2) to read as follows:

§ 57.803 Requirements.

- (a) * * *
- (2) Have received a Letter of Review from the Accreditation Review Committee on Education for the Physician Assistant for its plans for a program for the training of physician assistants;

Subpart J—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart J (consisting of §§ 57.901 through 57.913).

Subpart K—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart K (consisting of §§ 57.1001 through 57.1014).

Subpart L—Grants for Residency Training and Advanced Education in the General Practice of Dentistry

1. The authority for subpart L is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 786(b) of the Public Health Service Act, 90 Stat. 2317, as amended by 99 Stat. 540–541 (42 U.S.C. 295g–6(b)); redesignated as sec. 785 and amended by 102 Stat. 3130–3131 (42 U.S.C. 295g–5).

2. Section 57.1101 is amended by revising the introductory paragraph in the section text to read as follows:

§ 57.1101 To what projects do these regulations apply?

These regulations apply to the award of grants under section 785 of the Public Health Service Act (42 U.S.C. 295g–5) to public or private nonprofit schools of dentistry and to accredited postgraduate dental training institutions to meet the costs of projects to:

3. Section 57.1102 is amended in the definition of "Practice of general dentistry" by revising the word "Subpart" in paragraph (4) to read "subpart"; and by removing the term "Nonprofit school" and adding in its place the term "Nonprofit" and revising the definition to read as follows:

§ 57.1102 Definitions.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned or operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

4. Section 57.1103 is revised to read as follows:

§ 57.1103 What entities are eligible to apply for a grant?

Any public or private nonprofit school of dentistry or accredited postgraduate dental training institution located in a State is eligible to apply for a grant.

5. Section 57.1104 is amended by removing footnote ¹ in paragraph (a) and revising paragraph (a) to read as follows:

§ 57.1104 How must an entity apply for a grant?

(a) To apply for a grant under this subpart, each entity shall submit an application in the form and at such time as the Secretary may prescribe.

§ 57.1106 [Amended]

6. Section 57.1106 is amended in paragraph (a) by revising the section number "786(b)" to read "785".

7. Section 57.1107 is amended in paragraph (a)(1) by revising section number "786(b)" to read "785"; and by revising paragraphs (a)(2), (a)(3), (a)(4), and (b) to read as follows:

§ 57.1107 How will grant awards be made?

(a) * * *

(2) The notice of grant award specifies the length of time the Secretary intends to support the project without requiring the project to re compete for funds. This period, called the project period, will not exceed 3 years.

(3) Generally, the grant will initially be funded for 1 year, and subsequent continuation awards will also be for 1 year at a time. Decisions regarding continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, existence of legislative authority, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

(4) Neither the approval of any project nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other award with respect to any approved project or any portion of an approved project. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

(b) **Determination of grant amount.** The Secretary will determine the amount of any award under this subpart on the basis of his or her estimate of the sum necessary for the cost (including both direct and indirect costs) of the project. In addition, in determining the amount of stipend support to be made available for the general practice residency program, the amount of any stipend must be limited to that portion of the annual amount normally paid to other residents by the applicant which the Secretary determines, on the basis of the documentation required in the application, cannot reasonably be paid from other available funds, including the incomes derived from the residents' services. For the advanced educational program in general dentistry, stipends for participants (who are postdoctoral students) must be paid in accordance with established Public Health Service postdoctoral stipend rates.

8. Section 57.1109 is amended by removing the word "other" from paragraph (c); and by revising the first sentence in paragraph (b) to read as follows:

§ 57.1109 Purposes for which grant funds may be spent.

(b) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

9. Section 57.1110 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.1110 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

10. Section 57.1111 is revised to read as follows:

§ 57.1111 What other audit and inspection requirements apply to grantees?

Each grantee must, in addition to the requirements of 45 CFR part 74, meet the requirements of section 705 of the Act, concerning audit and inspection.

(Approved by the Office of Management and Budget under control number 0915-0060)

§ 57.1112 [Amended]

11. Section 57.1112 is amended by removing the parenthetical phrase at the end of the section.

Subpart M—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart M (consisting of §§ 57.1201 through 57.1212).

Subpart N—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart N (consisting of §§ 57.1301 through 57.1314).

Subpart O—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart O (consisting of §§ 57.1401 through 57.1415).

Subpart Q—Grants for Predoctoral, Graduate, and Faculty Development Education Programs in Family Medicine

1. The authority for subpart Q is revised to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended by 83 Stat. 35 (42 U.S.C. 216); sec. 786(a), Public Health Service Act, 90 Stat. 2316, and as amended by 102 Stat. 3146 (42 U.S.C. 295g-6(a)).

2. Section 57.1601 is revised to read as follows:

§ 57.1601 To what programs do these regulations apply?

These regulations apply to the award of grants under section 786(a) of the Public Health Service Act (42 U.S.C. 295g-6(a)) to schools of medicine or osteopathic medicine, hospitals, and other public or private nonprofit entities for projects to: (a) Plan, develop, and operate, or participate in predoctoral, graduate, or faculty development educational programs in family medicine; and (b) provide financial assistance to trainees participating in predoctoral or graduate educational programs who are in need of financial assistance and who plan to practice family medicine or to trainees in faculty development programs who plan to teach in family medicine training programs.

3. Section 57.1602 is amended by removing the term "School of medicine or osteopathy" and by adding in its place the term "School of medicine or osteopathic medicine" and revising the term; and by revising the definitions of "Clerkship", "Nonprofit", "Predoctoral training program", paragraph (a) of "Residency training program", "State", "Student assistantship", and "Trainee" to read as follows:

§ 57.1602 Definitions.

Clerkship means supervised clinical training in a specific field of medicine for predoctoral medical (M.D. or D.O.) students.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

Predoctoral training program means an educational program in family medicine, including courses, clerkships or preceptorships in family medicine, which is part of a course of study

leading to the degree of doctor of medicine or osteopathic medicine, and student assistantships in family medicine.

Residency training program means:

(a) A residency program in family practice which is fully or provisionally accredited by the Accreditation Council for Graduate Medical Education; or

School of medicine or osteopathic medicine means a public or private nonprofit school in a State which provides training leading, respectively, to a degree of doctor of medicine or to a degree of doctor of osteopathic medicine and which is accredited as provided in section 701(5) of the Act.

State includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia.

Student assistantship means a research program in family medicine for predoctoral medical (M.D. or D.O.) students.

Trainee means a medical (M.D. or D.O.) student, intern, resident, or physician participating in a training program supported by a grant under these regulations.

4. Section 57.1603 is amended by revising the word "osteopathy" to read "osteopathic medicine" in paragraphs (a) and (b); and by adding a new paragraph (c) to read as follows:

§ 57.1603 Who is eligible to apply for a grant?

(c) Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

5. Section 57.1604 is amended by removing the parenthetical phrase at the end of the section; by revising the words "four consecutive weeks" to read "4 consecutive weeks" in paragraph (b)(3)(iii)(C), the words "eight consecutive weeks" to read "8 consecutive weeks" in paragraph (b)(4)(iii)(C), and the words "three months" to read "3 months" in paragraph (d)(5)(ii); and by revising paragraph (b)(3)(i) to read as follows:

§ 57.1604 What requirements must a project meet?

(b) * * *

(3) * * *

(i) The project must provide medical (M.D. or D.O.) students with ambulatory care training in a community setting.

6. Section 57.1606 is amended by removing paragraph (d); and by revising paragraphs (b) and (c) to read as follows:

§ 57.1606 How long does grant support last?

(b) Generally, the grant will initially be funded for 1 year, and subsequent continuation awards will also be for 1 year at a time. Decisions regarding continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other award with respect to any approved application or portion of an approved application. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

7. Section 57.1607 is amended by adding a new paragraph (c) to read as follows:

§ 57.1607 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. If at any time during a budget period it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's needs for the period, the Secretary may adjust the amounts awarded by withdrawing the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

8. Section 57.1608 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.1608 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

§ 57.1609 [Amended]

9. Section 57.1609 is amended by adding at the end of the section the following parenthetical phrase "(Approved by the Office of Management and Budget under control number 0915-0060)".

Subpart R—Grants for the Establishment of Departments of Family Medicine

1. The authority for subpart R is revised to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 780, Public Health Service Act, 90 Stat. 2311, as amended by 95 Stat. 221 and 102 Stat. 3146 (42 U.S.C. 295g).

§ 57.1701 [Amended]

2. Section 57.1701 is amended by revising in the introductory text the phrase "schools of medicine and osteopathy" to read "schools of medicine and osteopathic medicine".

3. Section 57.1702 is amended by removing the term "School of medicine or osteopathy" and by adding in its place the term "School of medicine or osteopathic medicine" and revising the definition; in the definition of "Residency training program" by revising the words "three-year" to read "3-year" and the words "two years" to read "2 years"; and by revising the definitions of "Academic administrative unit", "Nonprofit", and "State" to read as follows:

§ 57.1702 Definitions.

Academic administrative unit or unit means a department, division, or other formal academic unit of a school of medicine or osteopathic medicine that provides clinical instruction in family medicine.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

School of medicine or osteopathic medicine means a public or private nonprofit school in a State which provides training leading, respectively, to a degree of doctor of medicine or to a degree of doctor of osteopathic medicine and which is accredited as provided in section 701(5) of the Act.

State includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia.

4. Section 57.1703 is revised to read as follows:

§ 57.1703 Who is eligible to apply for a grant?

Any school of medicine or osteopathic medicine which is located in a State is eligible to apply for a grant. Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

§ 57.1704 [Amended]

5. Section 57.1704 is amended in the first sentence of paragraph (f) by removing the phrase "required in § 57.1704(f)." and adding a period after the word "instruction"; in paragraph (g) by revising the reference of "§ 57.1704(f)" to read "paragraph (f)"; in paragraphs (d) and (e) by revising the word "osteopathy" to read "osteopathic medicine"; and by adding at the end of the section the following parenthetical phrase "(Approved by the Office of Management and Budget under control number 0915-0060)".

6. Section 57.1706 is amended by removing paragraph (d); by revising the words "five years" to read "5 years" in paragraph (a); and by revising paragraphs (b) and (c) to read as follows:

§ 57.1706 How long does grant support last?

(b) Generally, the grant will initially be funded for 1 year and subsequent noncompeting continuation awards will also be for 1 year at a time. Decisions regarding noncompeting continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, and the availability of funds. In all cases, noncompeting continuation awards

require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application, nor the award of any grant, shall commit or obligate the United States in any way to make any additional, supplemental, noncompeting continuation or other award with respect to any approved application or portion of an approved application. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

7. Section 57.1707 is amended by adding a new paragraph (c) to read as follows:

§ 57.1707 For what purposes may grant funds be spent?

* * *

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. If at any time during a budget period it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's needs for the period, the Secretary may adjust the amount awarded by withdrawing the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

8. Section 57.1708 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.1708 What additional Department regulations apply to grantees?

* * *

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

* * *

45 CFR part 93—New restrictions on lobbying.

§ 57.1709 [Amended]

9. Section 57.1709 is amended by adding at the end of the section the following parenthetical phrase "(Approved by the Office of Management and Budget under control number 0915-0060)".

Subpart S—Educational Assistance to Individuals From Disadvantaged Backgrounds

1. The authority for subpart S continues to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 787, Public Health Service Act, 90 Stat. 2317, as amended by 95 Stat. 923, 99 Stat. 541, and 102 Stat. 3131-3132 (42 U.S.C. 295g-7).

2. Section 57.1802 is amended by revising the definition of "Nonprofit" to read as follows:

§ 57.1802 Definitions.

* * *

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

* * *

§ 57.1803 [Amended]

3. Section 57.1803 is amended by removing footnote ¹ from paragraph (a).

4. Section 57.1805 is amended by revising paragraph (a)(2) to read as follows:

§ 57.1805 Program requirements.

(a) * * *

(2) To provide individuals from disadvantaged backgrounds, for a period prior to their entry into a regular course of education of such a school, preliminary education designed to assist them to complete successfully such regular course of education in a health professions school or school of allied health, or to refer them to institutions which provide it. Preliminary education in this context is education designed to expand the academic ability of disadvantaged students during their preprofessional training. It may not include classes already taught as part of the regular course of education leading to a high school diploma or undergraduate degree. It may not be offered to students before they complete the junior year of high school.

* * *

§ 57.1807 [Amended]

5. Section 57.1807 is amended by revising the words "three years" to read "3 years" in paragraph (a), and the words "one year" to read "1 year" in two places in paragraph (b).

§ 57.1809 [Amended]

6. Section 57.1809 is amended by revising the footnote number and the

footnote reference to "45 CFR part 83" from "2" to "1".

1. The heading for subpart V is revised to read as follows:

Subpart V—Grants for Centers of Excellence

2. The authority for subpart V continues to read as follows:

Authority: Sec. 788A of the Public Health Service Act, as established by Pub. L. 100-97, 101 Stat. 713-714 (42 U.S.C. 295g-8a), and redesignated as sec. 782 and as amended by Pub. L. 100-607, 102 Stat. 3136 (42 U.S.C. 295g-2).

3. Section 57.2102 is amended by revising the definitions of "Health professions school" and "Nonprofit" to read as follows:

§ 57.2102 Definitions.

* * *

Health professions school means any accredited school of medicine, dentistry, osteopathic medicine, pharmacy, optometry, podiatric medicine, veterinary medicine, public health, and chiropractic or graduate programs in health administration, or graduate programs in clinical psychology, as defined in section 701(4) of the Act and as accredited in section 701(5) of the Act.

* * *

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

§ 57.2103 [Amended]

4. Section 57.2103 is amended by removing footnote ¹ from the section.

5. Section 57.2107 is amended by revising the first sentence in paragraph (b) to read as follows:

§ 57.2107 For what purposes may grant funds be spent?

* * *

(b) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

* * *

6. Section 57.2108 is amended by revising the footnote number and the footnote reference to "45 CFR part 83" from "2" to "1"; and by adding in numerical order a CFR citation to read as follows:

§ 57.2108 What additional Department regulations apply to grantees?

45 CFR part 93—New restrictions on lobbying.

§ 57.2109 [Amended]

7. Section 57.2109 is amended by removing the "Effective Date Note" at the end of the section and adding in its place the following parenthetical phrase "[Approved by the Office of Management and Budget under control number 0915-0060]".

Subpart Y—Grants for Nurse Practitioner and Nurse Midwifery Programs

1. The authority for subpart Y continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended, 63 Stat. 35 (42 U.S.C. 216); sec. 822(a) of the Public Health Service Act, 89 Stat. 361, as amended by 99 Stat. 394-395 and 548 (42 U.S.C. 296m).

2. Section 57.2401 is revised to read as follows:

§ 57.2401 Applicability.

The regulations of this subpart are applicable to the award of grants to public or private nonprofit schools of nursing and public health, public or private nonprofit schools of medicine which received grants under section 822(a) of the Public Health Service Act (42 U.S.C. 296m) prior to October 1, 1985, public or private nonprofit hospitals, and other public or private nonprofit entities under section 822(a) to meet the cost of projects to (a) plan, develop, and operate, (b) expand, or (c) maintain programs for the education of nurse practitioners or nurse midwives.

3. Section 57.2402 is amended in paragraph (b) the definition of "Associate degree school of nursing" by revising the phrase "two-year program" to read "2-year program"; by revising in paragraph (c) the word "or" the first time it is used to read "of" in the heading of the term "Programs for the education of nurse practitioners or nurse midwives"; and by revising paragraph (j) the definition of "Nonprofit", to read as follows:

§ 57.2402 Definitions.

(j) *Nonprofit* refers to the status of an entity which is a corporation or association or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

4. Section 57.2403 is amended by revising paragraph (a)(1) to read as follows:

§ 57.2403 Eligibility.

(a) * * *

(1) Be a public or private nonprofit school of nursing or public health, a public or private nonprofit school of medicine which received grants under this subpart prior to October 1, 1985, public or private nonprofit hospital; or other public or private nonprofit entity; and

§ 57.2404 [Amended]

5. Section 57.2404 is amended by removing footnote¹ in paragraph (a) and removing paragraph (c)(8).

§ 57.2406 [Amended]

6. Section 57.2406 is amended in paragraph (a)(2)(i) by revising the phrase "health manpower shortage areas" to read "health professional shortage areas".

7. Section 57.2408 is amended by revising the first sentence in paragraph (b) to read as follows:

§ 57.2408 Expenditure of grant funds.

(b) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

8. Section 57.2409 is amended by revising the first citation "45 CFR Part 50, Subpart D" to read "42 CFR part 50, subpart D"; and by adding in numerical order the following CFR citations to read as follows:

§ 57.2409 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

9. The appendix to subpart Y, C. Student enrollment, paragraph 1., and D. Length of program, are revised as follows:

Appendix to Subpart Y—Guidelines for Nurse Practitioner and Nurse Midwifery Programs

C. *Student enrollment.* 1. A nurse practitioner or nurse midwifery education program shall have an

enrollment of not less than six full-time equivalent students in each class.

D. *Length of program.* A nurse practitioner or nurse midwifery education program shall be a minimum of 1 academic year (or 9 months) in length and shall include at least 4 months (in the aggregate) of classroom instruction.

Subpart Z—Grants for Advanced Nurse Education Programs

1. The authority for subpart Z continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 821 of the Public Health Service Act, 89 Stat. 361; as amended by 95 Stat. 930, and by 99 Stat. 394 and 548 (42 U.S.C. 296f).

2. Section 57.2502 is amended in the definition of "State" by revising the word "Federal" to read "Federated"; and by revising the definitions of "Council" and "Nonprofit" to read as follows:

§ 57.2502 Definitions.

Council means the Advisory Council on Nurses Education established by section 851(a) of the Act.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

§ 57.2503 [Amended]

3. Section 57.2503 is amended in paragraph (b)(1) by revising the words "one year" to read "1 year".

4. Section 57.2504 is amended by removing the "Effective Date Note" at the end of the section; and by removing footnote¹ to paragraph (a) and revising paragraph (a) to read as follows:

§ 57.2504 Application.

(a) Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

5. Section 57.2508 is amended by revising the first sentence in paragraph (b) to read as follows:

§ 57.2508 Expenditure of grant funds.

(b) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

6. Section 57.2509 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.2509 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

Subpart AA—Grants for Nurse Practitioner and Nurse Midwifery Traineeship Programs

1. The authority for subpart AA continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); sec. 822(b) of the Public Health Service Act, 91 Stat. 393; amended by 95 Stat. 930; amended by 99 Stat. 395; and as amended by 102 Stat. 3157 (42 U.S.C. 296m).

2. Section 57.2601 is revised to read as follows:

§ 57.2601 To what programs do these regulations apply?

These regulations apply to grants awarded to schools of nursing and public health, schools of medicine which received grants or contracts under this subsection prior to October 1, 1985, public or private nonprofit hospitals, and other public or private nonprofit entities to meet the costs of traineeships under section 822(b) of the Public Health Service Act.

3. Section 57.2602 is amended by removing the term "Health manpower shortage area" and adding in its place "Health professional shortage area"; and by revising the introductory text and paragraph (c) of the definition of "Health professional shortage area" and the definition of "Nonprofit" to read as follows:

§ 57.2602 Definitions.

Health professional shortage area means any of the following which the Secretary determines has a shortage of health professionals:

(c) A public or private nonprofit medical facility.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

4. Section 57.2603 is revised (and footnote 1 is removed) to read as follows:

§ 57.2603 Who is eligible to apply for a grant?

Any school of nursing or public health, or school of medicine which received grants or contracts under this section prior to October 1, 1985, public or private nonprofit hospital or other public or private nonprofit entity which is located in a State and which provides a nurse practitioner or nurse midwifery educational program is eligible to apply for a grant. Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

§ 57.2604 [Amended]

5. Section 57.2604 is amended in paragraphs (a)(3) and (b) by revising the words "health manpower shortage areas" to read "health professional shortage areas".

6. Section 57.2607 is amended by revising the first sentence in paragraph (c) to read as follows:

§ 57.2607 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

§ 57.2610 [Amended]

7. Section 57.2610 is amended by removing the parenthetical phrase at the end of the section; in paragraph (b), by revising the words "health manpower shortage area" to read "health professional shortage area"; and in paragraphs (d) and (h), by revising the words "health manpower shortage areas" to read "health professional shortage areas".

§ 57.2613 [Amended]

8. Section 57.2613 is amended by removing the parenthetical phrase at the end of the section; in paragraphs (a)(1) and (c), by revising the words "health manpower shortage area" to read "health professional shortage area"; and in paragraph (a)(2), by revising the

words "health manpower shortage areas" to read "health professional shortage areas".

§ 57.2615 [Amended]

9. Section 57.2615 is amended by removing the parenthetical phrase at the end of the section.

10. Section 57.2616 is amended by revising the word "Manpower" in the CFR reference of 45 CFR part 5 to read "Professional"; by revising the footnote number and the footnote reference to 45 CFR part 83 from "2" to "1"; and by adding numerically a CFR reference at the end of the section to read as follows:

§ 57.2616 What additional Department regulations apply to grantees?

45 CFR part 93—New restrictions on lobbying.

1. The heading of subpart CC is revised to read as follows: Subpart CC—Scholarships for Students of Exceptional Financial Need

2. The authority for subpart CC is revised to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended, 63 Stat. 35 (42 U.S.C. 216); sec. 758, Public Health Service Act, 90 Stat. 2289, as amended by 102 Stat. 3126-3127 (42 U.S.C. 2942).

§ 57.2801 [Amended]

3. Section 57.2801 is amended by removing the words "first-year" in the section text.

4. Section 57.2802 is amended by removing the term and the definition of "First year of study"; and by revising the definitions of "Health professions school or school", and "State" to read as follows:

§ 57.2802 Definitions.

Health professions school or school means, for this subpart, a public or private nonprofit school of medicine, osteopathic medicine, dentistry, optometry, podiatric medicine, pharmacy, or veterinary medicine providing a course of study, or a portion thereof, as defined in section 701(4) of the Act and as accredited in section 701(5) of the Act.

State means in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia.

5. Section 57.2803 is amended by revising paragraph (a); and by adding a parenthetical phrase at the end of the section to read as follows:

§ 57.2803 How to apply for a grant.

(a) Any health professions school located in a State may apply for a grant. Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

(Approved by the office of Management and Budget under control number 0915-0028)

6. Section 57.2804 is amended in paragraph (a)(2) by removing the phrase "in the first year of study"; in paragraph (b)(2) by removing the phrase "and published under 45 CFR 144.13"; by revising paragraph (a)(1); and by adding a parenthetical phrase at the end of the section text to read as follows:

§ 57.2804 Students eligible for scholarships.

(a) * * *

(1) Is a resident of the United States, and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Trust Territory of the Pacific Islands (TTPI) (consisting of the Republic of Palau), or a citizen of the Republic of the Marshall Islands or the Federated States of Micronesia (both formerly part of the TTPI).

(Approved by the Office of Management and Budget under control number 0915-0028)

§ 57.2805 [Amended]

7. Section 57.2805 is amended in paragraph (a) by removing the words "for the first year of study" and adding in its place the words "in such school year".

§ 57.2806 [Amended]

8. Section 57.2806 is amended at the end of the first sentence of paragraph (c)(1) by removing the words "for the first year of study at the school,"; and by revising the word "osteopathy" to read "osteopathic medicine" in paragraph (b) once and in paragraph (c)(1) three times.

9. Section 57.2808 is amended by removing the word "Departmental" in the section heading and adding in its place the word "Department"; and by adding in numerical order the following CFR citations to read as follows:

§ 57.2808 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension

(nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants).

45 CFR part 93—New restrictions on lobbying.

§ 57.2809 [Amended]

10. Section 57.2809 is amended by adding at the end of the section the following parenthetical phrase "(Approved by the Office of Management and Budget under control number 0915-0028)".

Subpart DD—Financial Assistance for Disadvantaged Health Professions Students

1. The authority for subpart DD continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 [42 U.S.C. 216]; sec. 787 of the Public Health Service Act, 90 Stat. 2309, as amended by 95 Stat. 923, 99 Stat. 541 [42 U.S.C. 295g-7].

2. Section 57.2902 is amended by revising the definition of "State" (and by removing the footnote) to read as follows:

§ 57.2902 Definitions.

State means in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia.

3. Section 57.2904 is amended in the first sentence of paragraph (b)(1)(i) by removing the phrase "and published under 34 CFR 674.13"; and by revising paragraph (a)(1) to read as follows:

§ 57.2904 Eligibility and selection of aid recipients.

(a) * * *

(1) Is a citizen, national, or lawful permanent resident of the United States, permanent resident of the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, or American Samoa, or lawful permanent resident of the Commonwealth of Puerto Rico, the Virgin Islands or Guam;

4. Section 57.2908 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.2908 What additional Department regulations apply to grants?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants).

45 CFR part 93—New restrictions on lobbying.

Subpart EE—Grants for Residency Training in Preventive Medicine

1. The authority for subpart EE is revised to read as follows:

Authority: Section 793, Public Health Service Act, 95 Stat. 928 [42 U.S.C. 295h-1c]; redesignated as sec. 788(c) of the Public Health Service Act, 102 Stat. 3134-3135 [42 U.S.C. 295g-8(e)].

§ 57.3001 [Amended]

2. Section 57.3001 is amended by revising the section number of the Act from "793" to "788(c)"; by revising the United States Code number from "(42 U.S.C. 295h-1c)" to "(42 U.S.C. 295g-8(e))"; and by revising the word "osteopathy" to read "osteopathic medicine."

3. Section 57.3002 is amended in the definition of "Full-time faculty" by revising the word "osteopathy" to read "osteopathic medicine"; and by revising the definitions of "Nonprofit" and "State" to read as follows:

§ 57.3002 Definitions.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

State includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia.

4. Section 57.3003 is revised to read as follows:

§ 57.3003 Who is eligible to apply for a grant?

Accredited public or private nonprofit schools of medicine, osteopathic medicine or public health located in a State are eligible to apply for a grant. Each eligible applicant desiring a grant under this subpart shall submit an application at the time and in such a

form that the Secretary may prescribe. To be eligible for a grant, an applicant must demonstrate that it has, or will have by the end of 1 year of grant support, full-time faculty with training and experience in the fields of preventive medicine and support from other faculty members trained in public health and other relevant specialties and disciplines.

(Approved by the Office of Management and Budget under control number 0915-0060)

§ 57.3004 [Amended]

5. Section 57.3004 is amended by removing the "Effective Date Note" at the end of the section and adding in its place a parenthetical phrase to read "(Approved by the Office of Management and Budget under control number 0915-0060)".

§ 57.3005 [Amended]

6. Section 57.3005 is amended by removing the word "and" at the end of paragraph (a)(4); and by revising the section number "793" in paragraph (a)(1) to read "788(c)".

7. Section 57.3006 is amended in paragraph (b) by removing the second sentence and by revising in the first sentence the words "one year" to read "1 year" twice; by removing paragraph (d); by revising the words "three years" to read "3 years" in paragraph (a); and by revising paragraph (c) to read as follows:

§ 57.3006 How long does grant support last?

(c) Neither the approval of any application nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other award with respect to any approved application or portion of any approved application. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

§ 57.3007 [Amended]

8. Section 57.3007 is amended by removing the "Effective Date Note" at the end of the section text and adding in its place a parenthetical phrase to read "(Approved by the Office of Management and Budget under control number 0915-0060)". Section 57.3007 is further amended in paragraph (b) by revising the words "two years" to read "2 years".

9. Section 57.3008 is amended by adding a new paragraph (c) to read as follows:

§ 57.3008 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. If at any time during a budget period it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's needs for the period, the Secretary may adjust the amounts awarded by withdrawing the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

10. Section 57.3009 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.3009 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

§ 57.3010 [Amended]

11. Section 57.3010 is amended by removing the "Effective Date Note" at the end of the section and adding in its place a parenthetical phrase to read "(Approved by the Office of Management and Budget under control number 0915-0060)".

Subpart FF—Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics

1. The authority for subpart FF continues to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, 63 Stat. 35 (42 U.S.C. 216); sec. 784, Public Health Service Act, 90 Stat. 2315, as amended by 95 Stat. 922-923 and 99 Stat. 540 (42 U.S.C. 295g-4).

§ 57.3101 [Amended]

2. Section 57.3101 is amended in the introductory section text by revising the words "osteopathy and public" to read "osteopathic medicine and public".

3. Section 57.3102 is amended by revising the term "Health manpower shortage area" to read "Health professional shortage area"; by removing the term "Nonprofit school"

and adding in its place the term "Nonprofit" and revising the definition; and by removing the term "School of medicine and osteopathy" and adding in its place the term "School of medicine and osteopathic medicine" and revising the definition to read as follows:

§ 57.3102 Definitions.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

School of medicine and osteopathic medicine means a public or private nonprofit school which provides training leading respectively to a degree of doctor of medicine or to a degree of doctor of osteopathic medicine and which is accredited as provided in section 701(5) of the Act.

4. Section 57.3103 is amended by removing the footnote and revising the section to read as follows:

§ 57.3103 Who is eligible to apply for a grant?

Any school of medicine or osteopathic medicine, public or private nonprofit hospital or any other public or private nonprofit entity, located in a State, may apply for a grant under this subpart. Each eligible applicant desiring a grant under this subpart shall submit an application in the form and at such time as the Secretary may prescribe.

§ 57.3105 [Amended]

5. Section 57.3105 is amended in paragraph (a)(8) by revising the word "osteopathy" to read "osteopathic medicine".

6. Section 57.3107 is amended in paragraph (a) by revising the phrase "five years" to read "5 years"; and by revising paragraph (b) to read as follows:

§ 57.3107 How long does grant support last?

(b) Generally, the grant will initially be funded for 1 year, and subsequent continuation awards will also be for 1 year at a time. Decisions regarding continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, and the availability of funds. In all cases, continuation awards require

a determination by the Secretary that continued funding is in the best interest of the Federal Government.

7. Section 57.3109 is amended by revising the first sentence in paragraph (c) to read as follows:

§ 57.3109 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary.

8. Section 57.3110 is amended by revising the heading of the section text; and by adding in numerical order the following CFR citations to read as follows:

§ 57.3110 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

Subpart GG—Payment for Tuition and Other Educational Costs

1. The authority for subpart GG is revised to read as follows:

Authority: Sec. 215, Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 711, Public Health Service Act, 90 Stat. 2253; section 710, PHS Act, as redesignated by Pub. L. 97-35, 95 Stat. 915 (42 U.S.C. 292k).

2. Section 57.3201 is revised to read as follows:

§ 57.3201 To which programs do these regulations apply?

The regulations in this subpart establish the criteria to be used in determining allowable increases in tuition and other educational costs for which the Secretary is responsible for payment under the following sections of the Public Health Service Act: The National Health Service Corps Scholarship Program (sec. 338A) (42 U.S.C. 254l) and the Indian Health Scholarship Program (awarded pursuant to sec. 338A-339G of the PHS Act) (25 U.S.C. 1613a). These programs are referred to herein as the "scholarship programs." The regulations apply to increases in tuition and other educational costs occurring after the school year beginning immediately before October 1, 1981.

Subpart II—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart II (consisting of §§ 57.3401 through 57.3413).

Subpart JJ—[Removed and Reserved]

1. Part 57 is amended by removing and reserving subpart JJ (consisting of §§ 57.3501 through 57.3510).

Subpart NN—Grants for Various Health Professions Projects

1. The authority for subpart NN is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 67 Stat. 631 (42 U.S.C. 216); Sec. 788(b) of the Public Health Service Act, as amended by 85 Stat. 924 and 102 Stat. 3134 (42 U.S.C. 295g-8(e)).

2. Section 57.3902 is amended by revising the definitions of "Nonprofit" and "State" to read as follows:

§ 57.3902 Definitions.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

State includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands (the Republic of Palau), the Republic of the Marshall Islands, and the Federated States of Micronesia.

3. Section 57.3906 is amended by removing paragraph (d); in paragraph (a) by revising the words "five years" to read "5 years"; and by revising paragraphs (b) and (c) to read as follows:

§ 57.3906 How long does grant support last?

(b) Generally the grant will initially be funded for 1 year and subsequent continuation awards will also be for 1 year at a time. Decisions regarding continuation awards and funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that

continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other award with respect to any approved application or portion of an approved application. For continuation support, grantees must make separate application at such times and in such a form as the Secretary may prescribe.

4. Section 57.3907 is amended by adding a new paragraph (c) to read as follows:

§ 57.3907 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. If at any time during a budget period it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's need for the period, the Secretary may adjust the amounts awarded by withdrawing the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

5. Section 57.3908 is amended by revising the section heading; by adding an introductory text; and by adding in numerical order the following CFR citations to read as follows:

§ 57.3908 What additional Department regulations apply to grantees?

Several other regulations apply to grants under this subpart. These include, but are not limited to:

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

Subpart OO—Grants for Health Professions Projects in Geriatrics

1. The authority for subpart OO is revised to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); sec. 788(d) of the Public Health Service Act, 99 Stat. 542 (42 U.S.C. 295g-8);

redesignated as sec. 789(a), as amended by Pub. L. 100-607, 102 Stat. 3136-37 (42 U.S.C. 295g-9(a)).

§ 57.4001 [Amended]

2. Section 57.4001 is amended by revising the section number of the Act from "788(d)" to "789(a)".

3. Section 57.4002 is amended by removing the word "only" in the definition of "State"; by revising the definitions of "Allied health professional", "Health professional", "Health professions school", "Nonprofit", "School of allied health", and "Training and retraining of faculty" to read as follows:

§ 57.4002 Definitions.

Allied health professional means a health professional who has received a certificate, an associate's degree, a bachelor's degree, a master's degree, a doctoral degree, or postbaccalaureate training, in a science relating to health care and meets the requirements as established in section 701(13) of the Act.

Health professional means, for purposes of this subpart, any allopathic or osteopathic physician, dentist, optometrist, podiatrist, pharmacist, professional nurse (as defined in § 57.2502), and nurse practitioner (as defined in § 57.2402), physician assistant, chiropractor, clinical psychologist, health administrator, or allied health professional.

Health professions schools means any school of medicine, dentistry, osteopathic medicine, pharmacy, optometry, podiatric medicine, veterinary medicine, public health, chiropractic, graduate programs in health administration, or graduate programs in clinical psychology, as defined in section 701(4) of the Act and as accredited in section 701(5) of the Act.

Nonprofit refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

School of allied health means a public or private nonprofit junior college, college, university or hospital-based educational entity which provides or is accredited to provide a program of education to enable individuals to become allied health professionals or to provide additional training for allied health professionals and which meets

the criteria set forth in section 701(10) of the Act.

Training and retraining of faculty means a program to train and retrain faculty to provide geriatric instruction which is not a 1-year retraining program for faculty in schools of medicine and osteopathic medicine in geriatrics or a 1-year or 2-year internal medicine or family medicine fellowship program as identified in section 789(b)(3) of the Act.

§ 57.4003 [Amended]

4. Section 57.4003 is amended by removing footnote ¹ from the section; and by adding the word "private" before the word "nonprofit" in the first sentence of the section text.

§ 57.4005 [Amended]

5. Section 57.4005 is amended in paragraph (a) introductory text by revising section number "788(d)(2)(B)" of the Act to read "789(a)(2)(A)".

6. Section 57.4007 is amended by revising the first sentence in paragraph (c) to read as follows:

§ 57.4007 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

7. Section 57.4008 is amended by adding in numerical order the following CFR citations to read as follows:

§ 57.4008 What additional Department regulations apply to grantees?

45 CFR part 76—Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

45 CFR part 93—New restrictions on lobbying.

§ 57.4009 [Amended]

8. Section 57.4009 is amended by revising the OMB control number "0915-0128" in the parenthetical phrase at the end of the section to read "0915-0060".

Subpart PP—Grants for Faculty Training Projects in Geriatric Medicine and Dentistry

1. The authority for subpart PP continues to read as follows:

Authority: Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 831 (42 U.S.C. 216); sec. 789(b) of the Public Health

Service Act, as amended by Pub. L. 100-607, 102 Stat. 3136-3138 (42 U.S.C. 295g-9(b)).

§ 57.4102 [Amended]

2. Section 57.4102 is amended in the definition of "Extended care facility" by removing the words "medically-prescribed" and adding in its place the words "medically-prescribed"; by adding in the second sentence in the definition of "Full-time teaching dentist" the word "a" after the phrase "by the grantee institution but can be"; and by adding in paragraph (1) in the definition of "Fellowship program" the word "a" after the words "Physicians who have completed".

§ 57.4103 [Amended]

3. Section 57.4103 is amended by removing footnote ¹ in the section; and by adding the following parenthetical phrase at the end of the section "(Approved by the Office of Management and Budget under control number 0915-0060)".

§ 57.4104 [Amended]

4. Section 57.4104 is amended by removing the word "retaining" and adding in its place the word "retraining".

§ 57.4105 [Amended]

5. Section 57.4105 is amended in the second sentence of paragraph (i) by removing the word "programs" and adding in its place the word "program".

§ 57.4107 [Amended]

6. Section 57.4107 is amended in the second sentence of paragraph (a) by removing the phrase "3 years" and adding in its place the phrase "5 years".

§ 57.4111 [Amended]

7. The second sentence in § 57.4111 is revised to read "Fellowship assistance for participants in a 1-year fellowship program and a 1-year retraining program is limited to 12 months".

8. Section 57.4113 is amended by revising the first sentence of paragraph (c) to read as follows:

§ 57.4113 For what purposes may grant funds be spent?

(c) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward provided specific approval is granted by the Secretary. * * *

§ 57.4114 [Amended]

9. Section 57.4114 is amended by revising the footnote number and the

footnote reference to "45 CFR part 83" from "2" to "1".

[FR Doc. 92-23919 Filed 10-1-92; 8:45 am]

BILLING CODE 4160-15-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[DA 92-1264]

List of Office of Management and Budget Approved Information Collection Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action amends the Commission's list of Office of Management and Budget approved information collection requirements contained in the Commission's Rules.

This action will provide the public with a current list of information collection requirements in the Commission's Rules which have OMB approval and a current list of OMB-approved information collection requirements which do not have an FCC form number of rule section associated with it.

EFFECTIVE DATE: October 5, 1992.

FOR FURTHER INFORMATION CONTACT: Judy Boley, Office of Managing Director, (202) 632-7513.

SUPPLEMENTARY INFORMATION:

In the Matter of

Editorial Amendment of List of Office of Management and Budget Approved Information Collection Requirements Contained in Part 0 of the Commission's Rules; Order

By the Managing Director:

Adopted: September 24, 1992.

Released: September 29, 1992.

1. Section 3507(f) of the Paperwork Reduction Act of 1980, as amended, 44 U.S.C. 3507(f), requires agencies to display a current control number assigned by the Director of the Office of Management and Budget ("OMB") for each agency information collection requirement.

2. Section 0.408 of the Commission's Rules display the OMB control numbers assigned to the Commission's non-form information collection requirements. OMB control numbers assigned to Commission forms are not listed in this section since those numbers appear on the forms.

3. This Order amends § 0.408 to remove listings of information collections which the Commission has eliminated and to add listings of new information collections which OMB has approved.

4. This Order also adds subsection (c) to include all miscellaneous information

collections assigned an OMB control number. These miscellaneous information collections include information collections which do not have an FCC form number or rule section associated with it.

5. Authority for this action is contained in section 4(i) of the Communications Act of 1934 (47 U.S.C. 154(i)), as amended, and § 0.231(d) of the Commission's Rules. Since this amendment is a matter of agency organization procedure or practice, the notice and comment and effective date provisions of the Administrative Procedure Act do not apply. See 5 U.S.C. 553(b)(A), (d).

6. Accordingly, it is ordered, That § 0.408 of the rules is amended as set forth in the Amendatory Text, effective on the date of publication in the Federal Register.

Federal Communications Commission.

Andrew S. Fishel,

Managing Director.

List of Subjects in 47 CFR Part 0

Reporting and recordkeeping requirements.

Amendatory Text

Part 0 of chapter I of title 47 of the Code of Federal Regulations is amended as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for part 0 continues to read:

Authority: Sec. 4, 303, 48 Stat. 1066, 1062, as amended; 47 U.S.C. 154, 303, unless otherwise noted.

2. Section 0.408, paragraph (b) is amended by removing the following rule sections and their corresponding control numbers.

§ 0.408 OMB control numbers assigned pursuant to the Paperwork Reduction Act

* * * * *

(b) * * *

47 CFR part or section where identified and described	Current OMB control No.
76.205	3060-0313
76.619	3060-0356
§ 0.408 [Amended]	
3. Section 0.408, paragraph (b) is further amended by adding the following rule sections and their corresponding OMB control numbers to read as follows.	
* * * * *	
(b) * * *	
47 CFR part or section where identified and described	Current OMB Control No.
1.1107	3060-0440
15.7(a)	3060-0397
15.201(d)	3060-0387
15.214(d)(3)	3060-0436
21.902	3060-0464
21.911	3060-0464
21.912	3060-0464
21.913	3060-0464
22.6(d)(2)	3060-0420
22.6(d)(3)	3060-0438
22.13(a)(1)(iv)	3060-0438
22.903(b)	3060-0485
22.903(d)(3)(ii)	3060-0438
22.903(f)(1)	3060-0438
22.917	3060-0438
22.917(g)	3060-0457
22.924	3060-0438
22.925	3060-0438
22.926	3060-0438
22.940	3060-0457
22.941	3060-0457
22.943	3060-0457
22.944	3060-0457
22.945	3060-0457
25.134	3060-0447
25.140	3060-0343
43.21	3060-0395
43.22	3060-0395
43.41	3060-0450
63.01(k)(5)	3060-0454
63.07	3060-0408
63.100	3060-0484
64.604	3060-0463
64.605	3060-0463
64.903	3060-0470
64.904	3060-0470