6316, 1301 Constitution Avenue, NW., Washington, DC 20229.

OMB Reviewer: Milo Sunderhauf, (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 93–14215 Filed 6–15–93; 8:45 am]

BILLING CODE 4820–02–M

Public Information Collection Requirements Submitted to OMB for Review

Dated: June 10, 1993.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545–0110
Form Number: IRS Form 1099–DIV
Type of Review: Extension
Title: Dividends and Distributions
Description: The form is used by the Service to insure that dividends are properly reported as required by Code section 6042 and that liquidation distributions are correctly reported as required by Code section 6043, and to determine whether payees are correctly reporting their income.
Respondents: Businesses or other for-profit
Estimated Number of Respondents: 149,300
Estimated Burden Hours Per Respondent: 14 minutes
Frequency of Response: Annually
Estimated Total Reporting Burden: 19,883,500 hours
OMB Number: 1545–0997
Form Number: IRS Form 1099–S
Type of Review: Extension
Title: Proceeds From Real Estate Transactions
Description: Form 1099–S is used by the person treated as the real estate reporting person to report proceeds from a real estate transaction to IRS.
Respondents: Individuals or households, Businesses or other for-profit, Small businesses or organizations
Estimated Number of Respondents: 91,400
Estimated Burden Hours Per Respondent: 8 minutes
Frequency of Response: Annually
Estimated Total Reporting Burden: 483,000 hours
Clearance Officer: Garrick Shear, (202) 622–3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.
OMB Reviewer: Milo Sunderhauf, (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 93–14217 Filed 6–15–93; 8:45 am]

BILLING CODE 4830–01–M

DEPARTMENT OF VETERANS AFFAIRS

Establishment of the National Center for Veteran Analysis and Statistics

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: On May 5, 1993, the Secretary of Veterans Affairs, Jesse Brown, announced the establishment, under the authority of 38 U.S.C. 510, of the National Center of Veteran Analysis and Statistics. The purpose of the National Center is to strengthen the Department's analytic and statistical ability and to better enable VA to participate in major policy debates including national issues. The National Center will help VA meet the challenge of change by better utilizing veteran demographic, biometric, and national survey data to support critical policy and planning activities and decisions. To help VA to be a unified Department, the Center will serve as the single, Department-wide repository, clearinghouse, and publication source for key veterans demographic and statistical information needed for policy development and analysis and strategic planning and will provide data for use by veterans service organizations (VSO), universities, and think tanks. Planned initiatives include assessing and improving the quality of statistical data, creating a data library as a focal point for inquiries, and exchanging data with VSOs. The National Center has been established as part of the Office of the Assistant Secretary for Policy and Planning. Mr. Conrad R. Hoffman has been named as the Director of the Center. Mr. Hoffman was formerly Senior Financial Advisor to the Commission on the Future Structure of Veterans Health Care and for almost two decades previously, the Controller of VA.

FOR FURTHER INFORMATION CONTACT: Michael L. Facine (202) 233–6852 or write to: National Center for Veterans Analysis and Statistics (008C), Department of Veterans Affairs, 810 Vermont Ave., NW., Washington, DC 20420; FAX: (202) 233–2633.

Dated: June 4, 1993.

By direction of the Secretary.

Conrad A. Hoffman,

Director, National Center for Veteran Analysis and Statistics.

[FR Doc. 93–14131 Filed 6–15–93; 8:45 am]

BILLING CODE 8320–01–M

Sunshine Act Meetings

Federal Register
Vol. 58, No. 114
Wednesday, June 16, 1993

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

AFRICAN DEVELOPMENT FOUNDATION

Board of Directors Meeting

TIME: 10:00 a.m.–12:00 Noon.

PLACE: ADF Headquarters.

DATE: Friday, June 11, 1993.

STATUS: Open.

Agenda

10:00-12:00—President's Report

If you have any questions or comments, please direct them to Ms. Janis McCollim, Executive Assistant to the President, who can be reached at (202) 673-3916.

Gregory Robeson Smith,
President.

[FR Doc. 93–14333 Filed 6–14–93; 1:27 pm]
BILLING CODE 6116–01–P

UNITED STATES INTERNATIONAL TRADE COMMISSION

[USITC SE–93–18]

TIME AND DATE: June 23, 1993 at 3:00 p.m.

PLACE: Room 101, 500 E Street S.W., Washington, DC 20436.

STATUS: Open to the public.

1. Agenda for future meetings.
2. Minutes.
3. Ratification List.
4. Inv. No. 731–TA–461 (Remand) (Gray Portland Cement and Cement Clinker from Japan)—briefing and vote.
5. Inv. No. 731–TA–571 (Final) (Professional Electric Cutting and Sanding/Grinding Tools from Japan)—briefing and vote.
6. Consideration of any matters related to Inv. No. 22-53, Dairy Products
7. Continuation of discussion of APO matters.
8. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Paul R. Bardos, Acting Secretary, (202) 205-2000.

Issued: June 10, 1993.

Paul R. Bardos,
Acting Secretary.

[FR Doc. 93–14268 Filed 6–11–93; 4:53 pm]
BILLING CODE 7020–02–P

federal register

Wednesday
June 16, 1993

Part II

Department of Transportation

Research and Special Programs Administration

49 CFR Parts 106 et al.

Oil Spill Prevention and Response Plans; Interim Final Rule

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 106, 107, 110, 130, 171, 172, 173, 174, 176, 178, 180

[Docket Nos. HM–214 and PC–1; Amdt. Nos. 106–9, 107–27, 110–2, 130–1, 171–120, 172–129, 173–233, 174–73, 176–33, 178–98, and 180–3]

RIN 2137–AC31

Oil Spill Prevention and Response Plans

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Interim final rule; request for comments and public meeting.

SUMMARY: This interim final rule implements the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990, and amends requirements that RSPA issued on February 2, 1993. This interim final rule removes the designation as "hazardous materials" of oils that, before February 2, 1993, had not been so designated; requires response plans for oil shipments in bulk packagings (i.e., cargo tanks (tank trucks), railroad tank cars, and portable tanks) in a quantity greater than 42,000 gallons; and requires less detailed response plans for petroleum oil shipments in bulk packagings of 3,500 gallons or more. This rule responds to public and industry concerns that subjecting previously unregulated oils to regulation as hazardous materials is unnecessary and undesirable.

DATES: *Effective date.* This interim final rule is effective June 16, 1993.

Compliance dates: Persons subject to this rule must comply with its requirements by October 1, 1993, except for persons subject to the requirements of 49 CFR 130.31(b), who must comply immediately.

Comments. Comments must be received on or before July 30, 1993.

Public meeting. A public meeting will be held on June 28, 1993, from 9:30 a.m. to 5 p.m.

ADDRESSES: *Comments.* Address comments to the Dockets Unit, Research and Special Programs Administration, Department of Transportation, room 8421, 400 Seventh Street, SW., Washington, DC 20590–0001. Comments should identify the docket numbers and be submitted in five copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed, stamped postcard. The Dockets Unit is located in the Department of Transportation headquarters building (Nassif Building) on the eighth floor. Public dockets may be reviewed between the hours of 8:30 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Public meeting. The public meeting will be held in room 2230 of the Department of Transportation headquarters building (Nassif Building), 400 Seventh Street, SW., Washington, DC 20590. Any person planning to attend should notify RSPA, by telephone or in writing, no later than two days prior to the meeting. To confirm plans to attend, contact Ms. Diane LaValle at (202) 366–8553.

FOR FURTHER INFORMATION CONTACT: Thomas Allan, Office of Hazardous Materials Standards, RSPA, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590–0001, Telephone (202) 366–4488 or Charles Holtman, Office of the Chief Counsel, RSPA, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590–0001, Telephone (202) 366–4400.

SUPPLEMENTARY INFORMATION: On February 2, 1993, RSPA published an interim final rule (IFR), 58 FR 6864, with request for comments, concerning oil spill prevention and response plans. The IFR implemented requirements of the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990 (FWPCA). It did so through amendments to the Hazardous Materials Regulations (HMR), 49 CFR parts 171–180, which are issued under the Hazardous Materials Transportation Act (HMTA). Details concerning the FWPCA statutory requirements and delegation of authority under that Act are contained in the preamble to that IFR. On April 20, 1993, RSPA reopened and extended the public comment period from April 5 to June 3, 1993, and announced a May 13, 1993 public hearing.

Under the IFR, many oils not previously regulated as hazardous materials (particularly animal, vegetable, mineral and lube oils) were designated as hazardous materials and then subjected to the requirements of the HMR. That regulatory approach has been the focus of extensive industry and public interest in the IFR, as reflected by the more than 250 public comments submitted to the docket and extensive remarks made at the day-long public hearing.

It has become clear that implementation of the FWPCA through designation of all oils as "hazardous materials" has unforeseen and potentially costly effects. These include increased insurance costs, applicability of numerous State and local regulatory requirements which attach to "hazardous materials," and railroad interlining requirements.

RSPA's goal is to provide adequate protection for the environment while imposing minimal costs and burdens on the regulated community. To avoid unnecessary costs and burdens while implementing the FWPCA, RSPA is taking a different approach.

First, it is rescinding the implementation through or under the HMR and rejecting any use of the HMTA to accomplish the requirements of the FWPCA. Second, it is creating a new part 130 in title 49 of the CFR solely for implementation of the FWPCA. Thus, the HMTA and FWPCA requirements will be separate.

This action should eliminate confusion about which statutory and RSPA regulatory requirements apply to any particular "oil." Any oil which meets the existing definitions of a hazardous material (e.g., flammable or combustible) will continue to be regulated as a hazardous material under 49 CFR parts 171–180. Any oil subject to regulation under the FWPCA (which includes animal and vegetable oils) will be regulated as an oil under 49 CFR part 130. Any oil which is a hazardous material and is subject to regulation under the FWPCA will be regulated under both parts 171–180 and part 130.

The new part 130 contains comprehensive response plan requirements for shipments of bulk packagings containing oil in quantities greater than 42,000 gallons (1,000 barrels). These bulk packagings may be cargo tanks (tank trucks), railroad tank cars, or portable tanks. These requirements fulfill the FWPCA mandate that the President issue regulations requiring response plans to be prepared by an owner or operator of an onshore facility that, because of its location, could reasonably be expected to cause substantial harm to the environment by discharging into or on the navigable waters or adjoining shorelines. 33 U.S.C. 1321(j)(5).

RSPA has preliminarily determined that it is unnecessary to require any response plans or impose any prevention requirements with respect to non-petroleum oils in quantities of 42,000 gallons or less. This is based on a preliminary finding that non-petroleum oils generally appear to possess a lower level of aquatic toxicity than petroleum oils. Comments are solicited on this determination and finding.

Therefore, part 130 contains basic response plan and prevention

regulations applicable only to petroleum oils. It contains basic response plan requirements for shipments of any petroleum oil in a bulk packaging of 13,248 liters (3,500 gallons) or more.

The 3,500-gallon bulk packaging criterion is the same as the HMTA bulk packaging registration requirement, 49 App. U.S.C. 1805(c)(1)(C), and the Federal Highway Administration's financial responsibility requirement, 49 CFR part 387.

Part 130 also contains prevention requirements for oils above 42,000 gallons and petroleum oils in packagings with a capacity of 3,500 gallons or more. These requirements relate to communication, packaging, emergency response information, and training. Unlike the previous IFR, this rule applies these selected, critical prevention requirements and does not require adherence to all the requirements contained in the HMR. To ensure that the plans are put into practice, part 130 also requires that the applicable plan be implemented when a discharge of oil occurs during transportation.

In accordance with 5 U.S.C. 553(b)(3)(B), this interim final rule is issued without prior notice of proposed rulemaking and opportunity to comment. The FWPCA contains statutory deadlines for the preparation and submission of response plans for onshore facilities (including, but not limited to, motor vehicles and rolling stock). After these deadlines, carriers not in compliance with the Act are prohibited from transporting oil in bulk packagings.

In order to continue the timely and uninterrupted implementation of the FWPCA, RSPA has determined that good cause exists for finding that notice and comment is impracticable and contrary to public interest. RSPA believes that any further delay in issuing these regulations would create an undue hardship on the regulated community and have the potential to disrupt the sale and delivery of oil. These same reasons provide good cause for making the comprehensive response plans effective upon publication.

Although an opportunity for public comment on this particular approach has not been provided prior to issuing this interim final rule, RSPA seeks public comment to assure that the rule is feasible and workable. If appropriate, RSPA will amend the provisions of this rule. RSPA also will hold a public meeting on this rule. As an interim final rule, this regulation is fully in effect and binding upon publication in the **Federal Register.**

Although no further regulatory action by RSPA is essential to implement this rule, RSPA encourages interested persons to participate in this rulemaking by submitting written views, data, or information on this interim final rule. Persons submitting comments should include their names and addresses, identify this rulemaking by the docket number stated in the heading of this rule and the specific section of the rule to which each comment applies, and give the basis for each comment. RSPA will consider all public comments and will make changes to this rule if public comments indicate a change is necessary.

Regulatory Analyses and Notices

Executive Order 12291 and DOT Regulatory Policies and Procedures

This rule does not meet the criteria specified in section 1(b) of Executive Order 12291 and is, therefore, not a major rule, but it is considered a significant rule under section 5(a)(2)(f) of DOT's Regulatory Policies and Procedures ("the Procedures") (44 FR 11034; February 26, 1979) because of significant public and congressional interest. This rule does not require a Regulatory Impact Analysis, or an environmental assessment or impact statement under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*).

In accordance with section 10(e) of the Procedures, RSPA has determined that a Regulatory Analysis is not required because these regulations do not meet any of the criteria mandating the preparation of such an analysis. As a result, in accordance with section 10(e), RSPA prepared a Regulatory Evaluation, which includes an analysis of the economic consequences of the regulation and an analysis of its anticipated benefits and impacts. The Regulatory Evaluation is available for review in the Dockets Unit.

Regulatory Flexibility Act

I certify this regulation will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Executive Order 12612

This rule has been reviewed in accordance with Executive Order 12612 ("Federalism"). These regulations have no substantial effects on the States, on the current Federal-State relationship, or on the current distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, preparation of a Federalism Assessment is not warranted.

Paperwork Reduction Act

The requirements for information collection have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96–511) under OMB control number 2137–0590 (expiration date: August 31, 1993).

Regulation Identifier Number (RIN)

A regulation identifier number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

List of Subjects

49 CFR Part 106

Administrative practice and procedure, Hazardous materials transportation, Oil, Pipeline safety.

49 CFR Part 107

Administrative practice and procedure, Hazardous materials transportation, Packaging and containers, Penalties, Reporting and recordkeeping requirements.

49 CFR Part 110

Disaster assistance, Education, Emergency preparedness, Grant programs—Environmental protection, Grant programs—Indians, Hazardous materials transportation, Hazardous substances, Indians, Reporting and recordkeeping requirements.

49 CFR Part 130

Oil, Response plans, Reporting and recordkeeping requirements, Transportation.

49 CFR Part 171

Exports, Hazardous materials transportation, Hazardous waste, Imports, Reporting and recordkeeping requirements.

49 CFR Part 172

Hazardous materials transportation, Hazardous waste, Labels, Markings, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 173

Hazardous materials transportation, Packaging and containers, Radioactive materials, Reporting and recordkeeping requirements, Uranium.

49 CFR Part 174

Hazardous materials transportation, Radioactive materials, Railroad safety.

49 CFR Part 176

Hazardous materials transportation, Maritime carriers, Radioactive materials, Reporting and recordkeeping requirements.

49 CFR Part 178

Hazardous materials transportation, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 180

Hazardous material transportation, Motor carriers, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

In consideration of the foregoing, and under the authority of 33 U.S.C. 1321, 49 CFR parts 106, 107, 110, 130, 171, 172, 173, 174, 176, 178, and 180 are amended as follows:

1. Subchapter A of title 49, subtitle B, chapter I, is added and the heading reads as follows:

SUBCHAPTER A—HAZARDOUS MATERIALS TRANSPORTATION, OIL TRANSPORTATION, AND PIPELINE SAFETY

PART 106—RULEMAKING PROCEDURES

2. The authority citation for Part 106 is revised to read as follows:

Authority: 49 App. U.S.C. 1653, 1657(e), 1672, 1803, 1804, 1808; 2002, and 11472(h)(1); 33 U.S.C. 1321.

3. Part 106 is transferred from subchapter B to subchapter A of subtitle B, chapter I of 49 CFR.

4. Appendix A to part 106 is amended by adding paragraph (a)(4) to read as follows:

Appendix A to Part 106

* * * * *

(a) * * *

(4) Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321(j), as amended by section 4202(a)(6) of the Oil Pollution Act of 1990 (Pub. L. 101–380; 33 U.S.C. 1321).

* * * * *

PART 107—HAZARDOUS MATERIALS PROGRAM PROCEDURES

5. The authority citation for Part 107 is revised to read as follows:

Authority: 49 App. U.S.C. 1421(c), 1653(d), 1655, 1802, 1804, 1805, 1806, 1808–1811, 1815; 49 CFR 1.45 and 1.53 and App. A of 49 CFR part 1.

6. Part 107 is transferred from subchapter B to subchapter A of chapter I of 49 CFR.

PART 110—HAZARDOUS MATERIALS PUBLIC SECTOR TRAINING AND PLANNING GRANTS

6a. The authority citation for Part 110 continues to read as follows:

Authority: 49 App. U.S.C. 1815; 49 CFR part 1.

6b. Part 110 is transferred from subchapter B to subchapter A of subtitle B, chapter I of 49 CFR.

7. Subchapter B of chapter I of title 49 is revised to read as follows:

SUBCHAPTER B—OIL TRANSPORTATION

PART 130—OIL SPILL PREVENTION AND RESPONSE PLANS

Sec.
130.1 Purpose.
130.2 Scope.
130.3 General requirements.
130.5 Definitions.
130.11 Communication requirements.
130.21 Packaging requirements.
130.31 Response plans.
130.33 Response plan implementation.

Authority: 33 U.S.C. 1321.

§ 130.1 Purpose.

This part prescribes prevention and response requirements of the Department of Transportation applicable to transportation of oil.

§ 130.2 Scope.

(a) The requirements of this part apply to—

(1) Any petroleum oil in packagings having capacities of 3500 gallons or more; and

(2) Any oil in a quantity of 42,000 gallons or more per packaging.

(b) The requirements of this part have no effect on—

(1) The applicability of the Hazardous Materials Regulations set forth in subchapter C of this chapter; and

(2) The discharge notification requirements of the United States Coast Guard (33 CFR part 153) and the EPA (40 CFR part 110).

§ 130.3 General requirements.

No person may offer or accept for transportation or transport oil subject to this part unless that person—

(a) Complies with this part; and

(b) Has been instructed on the applicable requirements of this part.

§ 130.5 Definitions.

In this subchapter:

EPA means the U.S. Environmental Protection Agency.

Oil means oil of any kind or in any form, including, but not limited to, petroleum, vegetable oil, animal oil, fuel oil, sludge, oil refuse, an oil mixed with waste other than dredged spoil.

Package means a packaging plus its contents.

Packaging means a receptacle and any other components or materials necessary for the receptacle to perform its containment function in conformance with the packing requirements of this part.

Person means an individual, firm, copartnership, corporation, company, association, joint-stock association, including any trustee, receiver, assignee, or similar representative thereof.

Petroleum oil means any oil extracted from geological hydrocarbon deposits, including fractions and derivatives thereof.

RSPA means the Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Transports or Transportation means any movement of property by any mode, and any loading, unloading, or storage incidental thereto.

§ 130.11 Communication requirements.

(a) No person may offer oil subject to this part for transportation unless that person provides the person accepting the oil for transportation a document indicating the shipment contains oil.

(b) No person may transport oil subject to this part unless a readily available document indicating that the shipment contains oil is in the possession of the transport vehicle operator during transportation.

§ 130.21 Packaging requirements.

Each packaging used for the transportation of oil must be designed, constructed, maintained, closed, and loaded so that, under conditions normally incident to transportation, there will be no release of oil to the environment.

§ 130.31 Response plans.

(a) After September 30, 1993, no person may transport oil subject to this part unless that person has a current basic written plan that:

(1) Sets forth the manner of response to discharges that may occur during transportation;

(2) Takes into account the maximum potential discharge of the contents from the packaging;

(3) Identifies who will respond to a discharge;

(4) Identifies the appropriate persons and agencies (including their telephone numbers) to be contacted in regard to such a discharge and its handling, including the National Response Center;

(5) For each motor carrier, is retained on file at that person's principal place of business and at each location where dispatching of motor vehicles occurs; and for each railroad, is retained on file at that person's principal place of business and at the dispatcher's office.

(b) After February 18, 1993, no person may transport an oil in a quantity greater than 1,000 barrels (42,000 U.S. gallons) unless that person has a current comprehensive written plan that:

(1) Conforms with all requirements specified in paragraph (a) of this section;

(2) Is consistent with the requirements of the National Contingency Plan (40 CFR part 300) and Area Contingency Plans;

(3) Identifies the qualified individual having full authority to implement removal actions, and requires immediate communications between that individual and the appropriate Federal official and the persons providing spill response personnel and equipment;

(4) Identifies, and ensures by contract or other means the availability of, private personnel (including address and phone number), the equipment necessary to remove, to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion) and to mitigate or prevent a substantial threat of such a discharge;

(5) Describes the training, equipment testing, periodic unannounced drills, and response actions of facility personnel, to be carried out under the plan to ensure the safety of the facility and to mitigate or prevent the discharge, or the substantial threat of such a discharge; and

(6) Is submitted, and resubmitted in the event of any significant change, to the Associate Administrator for Hazardous Materials Safety (for portable tanks), to the Federal Railroad Administrator (for tank cars), or to the Federal Highway Administrator (for cargo tanks) at 400 Seventh Street, SW., Washington, DC 20590–0001.

§ 130.33 Response plan implementation.

If a discharge of oil occurs during transportation, the person transporting the oil shall take appropriate action to implement each plan required by § 130.31.

SUBCHAPTER C—HAZARDOUS MATERIALS REGULATIONS

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

8. The authority citation for part 171 is revised to read as follows:

Authority: 49 App. U.S.C. 1802, 1803, 1804, 1805, 1808 and 1818; 49 CFR part 1.

§ 171.1 [Amended]

9. In § 171.1, paragraph (a)(3)(v) is removed.

§ 171.2 [Amended]

10. In § 171.2, remove the words "subchapter B" and add, in their place, the words "subchapter A" in paragraphs (c) and (d)(3).

§ 171.5 [Removed]

11. Section 171.5 is removed.

§ 171.8 [Amended]

12. In § 171.8, the definition for "Oil" is removed.

§ 171.11 [Amended]

13. In § 171.11, paragraph (d)(14) is removed.

§ 171.12 [Amended]

14. In § 171.12, paragraph (b)(17) is removed.

§ 171.12a [Amended]

15. In § 171.12a, paragraph (b)(16) is removed.

16. In § 171.15, the Note at the end of this section is revised to read as follows:

§ 171.15 Immediate notice of certain hazardous materials incidents.

* * * * *

Note: Under 40 CFR 302.6 EPA requires persons in charge of facilities (including transport vehicles, vessels and aircraft) to report any release of a hazardous substance in a quantity equal to or greater than its reportable quantity, as soon as that person has knowledge of the release, to the U.S. Coast Guard National Response Center at (toll free) 800–424–8802 or (toll) 202–267–2675.

* * * * *

PART 172—HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS

17. The authority citation for part 172 is revised to read as follows:

Authority: 49 U.S.C. App. 1803, 1804, 1805, 1808; 49 CFR part 1, unless otherwise noted.

§ 172.101 [Amended]

18. In the § 172.101 Table, the entry for "Oil, n.o.s., *with a flashpoint not less than 93° C(200° F)*" is removed.

§ 172.203 [Amended]

19. In § 172.203, paragraph (o) is removed.

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

20. The authority citation for part 173 continues to read as follows:

Authority: 49 U.S.C. App. 1803, 1804, 1805, 1806, 1807, 1808, 1817; 49 CFR part 1, unless otherwise noted.

§§ 173.22 and 173.124 [Amended]

21. In part 173, remove the words "subchapter B" and add, in their place, the words "subchapter A" in § 173.22(a)(2)(iv) and § 173.124(a)(1)(ii)(A).

22. In § 173.140, paragraph (b) is revised to read as follows:

§ 173.140 Class 9—Definitions.

* * * * *

(b) Any material that meets the definition in § 171.8 of this subchapter for an elevated temperature material, a hazardous substance, a hazardous waste, or a marine pollutant.

23. In § 173.150, paragraphs (f)(3)(viii) and (f)(4) introductory text are revised to read as follows:

§ 173.150 Exceptions for Class 3 (flammable and combustible liquids).

* * * * *

(f) * * *

(3) * * *

(viii) The requirements of §§ 173.1, 173.21, 173.24, 173.24a, 173.24b, 174.1, 177.804, 177.817, and 177.834 of this subchapter.

(4) A combustible liquid that is not a hazardous substance, a hazardous waste, or a marine pollutant is not subject to the requirements of this subchapter if it is a mixture of one or more components that—

* * * * *

§ 173.155 [Amended]

24. In § 173.155, paragraph (d) is removed.

PART 174—CARRIAGE BY RAIL

25. The authority citation for part 174 is revised to read as follows:

Authority: 49 U.S.C. App. 1803, 1804, 1808; 49 CFR 1.53(e), 1.53, app. A to part 1.

§ 174.25 [Amended]

26. In § 174.25, paragraph (b)(6) is removed.

PART 176—CARRIAGE BY VESSEL

27. The authority citation for part 176 continues to read as follows:

Authority: 49 U.S.C. App. 1803, 1804, 1805, 1808; 49 CFR 1.53, app. A to part 1.

§ 176.70 [Amended]

28. In § 176.70 the words ", and shipments of oil in bulk packagings," in paragraph (a) are removed.

PART 178—SPECIFICATIONS FOR PACKAGINGS

29. The authority citation for part 178 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR part 1.

§§ 178.320, 178.337–18 and 178.345–15 [Amended]

30. In 49 CFR part 178, remove the words "subchapter B" and add, in their place, the words "subchapter A" in § 178.320, in the definition of "Manufacturer", § 178.337–18(a), and § 178.345–15(a).

PART 180—CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS

31. The authority citation for part 180 continues to read as follows:

Authority: 49 U.S.C. App. 1803; 49 CFR part 1.

§ 180.3 and 180.413 [Amended]

32. In 49 CFR part 180, remove the words "subchapter B" and add, in their place, the words "subchapter A" in § 180.3(a), (b)(3) and (b)(5) and § 180.413(a)(1) and (a)(2).

Issued in Washington, DC on June 11, 1993, under authority delegated in 49 CFR part 1.

Rose A. McMurray,

Acting Administrator, Research and Special Programs Administration.

[FR Doc. 93–14230 Filed 6–14–93; 9:47 am]

BILLING CODE 4910–60–P

federal register

Wednesday
June 16, 1993

Part III

Department of Education

34 CFR Part 649

Patricia Roberts Harris Fellowship Program; Proposed Rule and Notice Inviting Applications

DEPARTMENT OF EDUCATION

34 CFR Part 649

RIN 1840–AB67

Patricia Roberts Harris Fellowship Program

AGENCY: Department of Education.

ACTION: Summary of anticipated changes.

SUMMARY: The Secretary publishes a summary of anticipated changes to the notice of proposed rulemaking for the Patricia Roberts Harris Fellowship Program. The regulations are needed to implement changes made by the Higher Education Amendments of 1992. The regulations would establish eligibility criteria, selection criteria, and other terms and conditions for awarding grants to institutions of higher education to assist in making available the benefits of master's level, professional, and doctoral education programs to women and individuals from minority groups who are underrepresented in these programs.

FOR FURTHER INFORMATION CONTACT: Charles Miller. Telephone: (202) 708–8935. Individuals who use a telecommunications device for deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time Monday through Friday.

SUPPLEMENTARY INFORMATION: On March 1, 1993, the Secretary published a notice of proposed rulemaking (NPRM) for the Patricia Roberts Harris Fellowship Program in the **Federal Register** (58 FR 11928–11937). In addition, on March 24, 1993, the Secretary published a notice in the **Federal Register** (58 FR 15824) to correct an error in the NPRM by restoring language inadvertently deleted from the definition of "Minority" in § 649.6(b) of the proposed regulations. The public comment period for the notice of proposed rulemaking ended on March 31, 1993.

It is not the policy of the Department of Education to solicit applications before the publication of final regulations. However, in this case it is necessary to solicit applications on the basis of the NPRM in order to have sufficient time available to conduct the competition and make awards prior to the end of the fiscal year (September 30, 1993). An application notice for the Patricia Roberts Harris Fellowship Program is published in this issue of the **Federal Register.**

Eighty-six comments were received in response to the Secretary's invitation to comment on the NPRM. In response to these comments, the Secretary anticipates making a number of changes to the regulations proposed in the NPRM. The following is a summary of anticipated changes and the comments prompting them.

Summary of Anticipated Changes

Eligibility for a Grant

One commenter questioned whether in order to receive a grant under this program an institution would be required to demonstrate shortages of both women and minorities in a particular academic field. An institution is not required to demonstrate underrepresentation of both women and minorities in order to be eligible for a grant. An institution may serve members of any one targeted group or more than one targeted group.

The Secretary recognizes that the proposed regulations are confusing regarding the groups of students to which an institution may give priority under each type of fellowship program. The Secretary expects to revise §§ 649.3(b), 649.10, and 649.40 of the regulations to clarify that an institution may propose a fellowship program that gives priority to members of one or more of the following six targeted groups.

(1) Women who are underrepresented in an academic field in which they are pursuing master's level or professional study.

(2) Individuals from minority groups who are underrepresented in an academic field in which they are pursuing master's level or professional study.

(3) Women who are pursuing master's level study leading to careers that serve the public interest.

(4) Individuals from minority groups who are pursuing master's level study leading to careers that serve the public interest.

(5) Women who are undertaking doctoral study.

(6) Individuals from traditionally underrepresented groups undertaking doctoral study.

The Secretary also anticipates revising the proposed regulations regarding the establishment of priorities as follows:

- Section 649.22(a) would be revised to clarify that the Secretary will give an absolute preference to projects that give priority in awarding fellowships to women "or" individuals from minority groups who are pursuing master's level or professional study and are underrepresented in the academic field.
- Section 649.22(b) would be revised to clarify that the Secretary will give a competitive preference to projects that give priority to women "or" individuals from minority groups who are pursuing master's level study leading to careers that serve the public interest.
- Section 649.32(a) would be revised to clarify that the Secretary will give an absolute preference to projects that give priority to women "or" individuals from traditionally underrepresented groups undertaking doctoral study.

The Secretary also anticipates revising the selection criteria in paragraphs (a)(1) and (a)(2) of §§ 649.21 and 649.31 to clarify that applicants are generally required to provide institutional commitment and recruitment plan information that is related only to the group or groups the applicant is proposing to serve. However, the Secretary expects to retain paragraph (a)(2)(ii)(C) of proposed §§ 649.21 and 649.31, which requires all applicants to provide information to show their success in providing students with access to careers in which women and minority groups are underrepresented, because the Secretary is required by statute to consider this information for every applicant.

Finally, the Secretary expects to correct § 649.21(a)(2)(ii)(A)(1) of the proposed regulations by removing the word "traditionally" because there is no statutory basis for establishing a priority for the traditionally underrepresented in the master's level and professional study program.

Academic Year (§§ 649.6, 649.63)

Several commenters requested clarification regarding the definition of this term and its impact. One commenter asked how the definition would affect a fellow who first enrolled for the spring term.

The Secretary does not intend the definition of "academic year" to restrict flexibility regarding the starting dates of fellows. The Secretary intends to allow an institution to apply a pro-rated portion of the funds for fellows who start in the spring and carry over the remaining funds to the following academic year. In the end, a fellow who starts in the spring should have received the same total fellowship funds as a fellow who started in the same program in the fall.

The Secretary anticipates revising §§ 649.50 and 649.51 to replace the terms "academic year" and "academic years" with the words "year" and "years." The Secretary further anticipates revising § 649.63 of the proposed regulations to clarify that if a fellow starts in the spring, an institution shall disburse a pro-rated stipend and shall carry over a pro-rated portion of the institutional payment and of the remainder of the stipend for the fellow

for the next academic year. Finally, the Secretary expects to correct § 649.61 by removing paragraph (b) because the Secretary does not intend to make pro-rated institutional payments for fellows that are enrolled for less than a full academic year. Rather, the Secretary intends that institutions will return or carry over a pro-rated portion of institutional payments, as provided in § 649.63.

Careers That Serve the Public Interest (§§ 649.6, 649.22(b)(1))

A number of commenters requested a more precise definition of the term. One commenter asked whether a career at a public institution of higher education would be a career serving the public interest if the institution is a department of State government. Commenters were also concerned that the three-to-five point competitive preference proposed to implement the statutory priority for women and students from minority groups pursuing master's level study leading to careers that serve the public interest would result in all awards for the master's level and professional study program going to this category of fellowships since the point spread among applicants is generally less than three.

The Secretary does not anticipate modifying the definition of this term. The Secretary expects institutions to explain in their grant applications how the academic areas that they are proposing for this fellowship program will lead to careers that serve the public interest. For example, the Secretary believes a career in teaching at a nonprofit public or private institution of higher education meets the definition because it promotes National Education Goal 5, which calls for every adult American to possess the knowledge and skills necessary to complete in the global economy and exercise the rights and responsibilities of citizenship.

The Secretary agrees with the commenters that the number of points proposed for the competitive preference should be reduced. The Secretary anticipates revising paragraph (b)(1) of proposed § 649.22 to reduce the number of points awarded to applications that meet the competitive preference from "between three and five" to "one."

Doctoral Study (§ 649.6)

Some commenters expressed concern that including the teaching requirement in the definition of "doctoral study" is inconsistent with existing doctoral programs at many institutions and therefore would preclude some doctoral programs from participating. Commenters also pointed out that since the teaching requirement had been incorporated into the regulations as a condition of a doctoral fellowship, including the requirement in the definition of doctoral study is redundant and unnecessary. Commenters recommended that the teaching requirement be removed from the definition.

The Secretary does not intend to restrict certain doctoral programs from eligibility and agrees that the teaching requirement in the definition is unnecessary since it is already a condition of a doctoral fellowship. In response to public comment, the Secretary anticipates revising the definition of "doctoral study" to remove the requirement for one year of supervised teaching experience. The Secretary also expects to make a corresponding change to the definition of "professional study" to remove the reference to "supervised teaching."

Project (§§ 649.21, 649.31)

Several commenters requested clarification regarding the use of the term "project" in both the institution-wide and the academic field selection criteria, and its implications regarding the respective project responsibilities of an institution and an academic department.

The Secretary agrees with the comments that the use of the term project in the academic field criteria in the NPRM is confusing because a project is institution-wide and may include more than one academic area. The Secretary anticipates revising paragraphs (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5)(i)(B) of §§ 649.21 and 649.31 to clarify that those criteria must be addressed with respect to each academic field within the project.

Institutional Commitment Criterion (§§ 649.21(a); 649.31(a))

One commenter noted that the points allocated to the "Institutional commitment" criterion seemed high relevant to other selection criteria. The Secretary agrees and anticipates reducing the points allocated to the "Institutional commitment" criterion from 20 to 15 and adding those 5 points to the "Quality of academic program" criterion.

Faculty Criterion (§§ 649.21(b); 649.31(b))

Several commenters requested that the quality of key faculty be emphasized more strongly in the selection criteria. The Secretary agrees with the commenters that more emphasis should be placed on the quality of key faculty. The Secretary therefore anticipates revising paragraph (b)(5)(i)(B) of §§ 649.21 and 649.31 of the proposed regulations to provide a criterion regarding the qualifications of "key faculty" rather than "other key personnel". In addition, the Secretary anticipates adjusting the points allocated to the selection criteria to increase the "Quality of key personnel" criterion from 10 to 12 points, with 6 of those points assigned to "Quality of key faculty" and 2 points assigned to each of the other three subsections under (A), (B), and (C) of the "Quality of key personnel" criterion.

Discrimination Prohibition (§§ 649.21(b)(3)(vi) and 649.31(b)(3)(vi))

A number of commenters suggested that paragraph (b)(3)(vi) in §§ 649.21 and 649.31 of the proposed regulations, which requires applicants to ensure that otherwise eligible project participants are selected without regard to race, color, national origin, religion, gender, age, or disabling condition is inconsistent with the purposes of the program.

The Secretary agrees that this provision is confusing because it could be interpreted to be in conflict with the priority requirements under the program. The Secretary anticipates revising paragraph (b)(3)(vi) of §§ 649.21 and 649.31 to clarify that applicants may not consider the prohibited factors, except as necessary to implement the priority requirements under this program.

Evaluation Plan (§§ 649.21(b)(7) and 649.31(b)(8))

Several commenters objected to the evaluation plan requirements, calling them excessive, cumbersome, and unnecessary. Some commenters suggested that the evaluation plan be an institution-wide criterion, rather than an academic field criterion.

The Secretary agrees with the commenters that the evaluation plan requirements are unnecessarily burdensome for a graduate fellowship program, that the evaluation should be conducted centrally, and the evaluation plan therefore should be an institution-wide criterion. The Secretary anticipates that the project director would oversee an institution-wide evaluation that addresses each academic field. The Secretary anticipates revising the regulations to simplify the evaluation requirements, to move the evaluation plan criterion from the academic field to the institution-wide criteria, and to reduce the number of points allocated to the evaluation plan.

In particular, the Secretary anticipates revising the evaluation plan

requirements in the proposed regulations as follows: (1) To remove the requirements in paragraphs (b)(7) (iii), (iv), and (vi) of § 649.21 and the corresponding requirements in paragraphs (b)(8) (iii), (iv), and (vi) of § 649.31; (2) To revise paragraph (b)(7)(ii) of § 649.21 and paragraph (b)(8)(ii) of § 649.31 to provide that the Secretary reviews each application to determine the extent to which the applicant's evaluation methods include both process and product evaluation measures that are objective and designed to produce data that are quantifiable; (3) To move the revised evaluation plan requirements from the academic field criteria in §§ 649.21(b)(7) and 649.31(b)(8) to the institution-wide criteria in a new paragraph (a)(5) of §§ 649.21 and 649.31; and (4) To reduce the points allocated to the evaluation plan selection criteria from 10 to 5. Two of the extra points would be added to the "Quality of key personnel" criterion, as discussed above, and the other 3 points would be added to the "Quality of academic program" criterion to increase its weight to a total of 15 points.

Priority Fields (§ 649.22(c)(1))/Appendix

Some of the commenters believe the list of priority fields in the appendix is too broad, and some commenters stated that any list is too restrictive. Many of the comments on the fields of high national priority reflect a misunderstanding of the process the Secretary uses for giving an absolute preference. None of the academic areas listed in the appendix has been given a preference as a field of high national priority. The Secretary establishes the academic career fields of high national priority that will be given a preference on an annual basis by selecting fields from among the academic areas listed in the appendix and announcing the absolute preference for the selected fields in the **Federal Register** notice inviting applications for new awards. The areas of high national priority for this year's grant competition are specified in this application notice under absolute priority 2. For this reason, the Secretary does not believe the list of academic areas is too broad. Nor does the Secretary believe the list is too restrictive because the Secretary also may give an absolute preference to an academic field that is a subdisciplinary or interdisciplinary academic area of those academic areas on the list.

The Secretary anticipates minor revisions to the language of the regulations to clarify that not all of the areas listed in the appendix are areas of high national priority.

National and Citizenship Requirements (§§ 649.40 (b)(3), (c)(3), and (d)(3))

A number of commenters requested clarification regarding why the citizenship requirement applies only to doctoral fellows pursuing academic careers and not to any other fellows. Commenters also requested a definition of the term "national".

The citizenship requirement for doctoral fellows pursuing academic careers is taken from the Higher Education Act of 1965, as amended by Congress in the Higher Education Amendments of 1992 (HEA), which states expressly that one of the purposes of the title IX graduate fellowship programs is to "provide incentives and support for *United States citizens* to complete doctoral degree programs leading to academic careers" (20 U.S.C. 1134(a)(2)) (emphasis added). The Secretary believes that limiting eligibility for doctoral programs leading to academic careers to U.S. citizens is consistent with legislative intent. Since the statute did not specifically target U.S. citizens for any of the other types of fellowships, the Secretary did not restrict eligibility for any of the other fellowships.

The Secretary agrees with the commenters that a definition of "national" would help to clarify the eligibility provisions. The Secretary anticipates adding to § 649.6 of the regulations a definition of the term "U.S. national" that is drawn from the Immigration and Nationality Act definition and is consistent with the definition of "U.S. citizen or national" that is used in other higher education grant programs. The definition would provide that a "U.S. national" means a citizen of the United States or a person defined in the Immigration and Nationality Act, 8 U.S.C. 1101(a)(22), who, though not a citizen of the United States owes permanent allegiance to the United States.

Doctoral Fellowship Teaching Requirement (§ 649.51(b)(3))

Some commenters requested clarification regarding the provision that requires doctoral fellows pursuing academic careers to fulfill a teaching requirement that is equal to the teaching requirement of a half-time teaching assistant since that requirement may vary among institutions. The Secretary agrees that the half-time requirement is confusing. The Secretary intends that the teaching requirements for fellows under this program be the same as for other graduate teaching assistants and anticipates revising paragraph (b)(3)(1)(ii) of § 649.51 to remove the reference to "half-time" and to provide that the teaching requirements for fellows under this program must be equal to those required of other graduate teaching assistants at that institution.

Disbursement Requirements (§ 649.64(a))

One commenter noted that institutions will not be able to satisfy the requirement that institutions certify that fellows are making satisfactory academic progress prior to the fellow's receipt of the stipend.

The Secretary agrees with the commenter that no certification would be possible prior to a fellow's initial receipt of a stipend and anticipates revising paragraph (a) of this section to clarify that the certification requirement does not apply until after a fellow's first academic term.

Other Issues

The Secretary also received public comment regarding a number of other issues in response to which the Secretary does not anticipate making any changes to the proposed regulations. These comments will be discussed fully in the preamble to the final regulations for this program when they are published in the **Federal Register**. Among the major issues raised by commenters that the Secretary does not expect will result in a change to the proposed regulations is the use of the test in part F of title IV of the HEA for determining the amount of a fellow's financial need. The Secretary believes it is reasonable to require graduate students who receive stipends under this program to demonstrate need based on the same standards as graduate students who receive support under all other programs funded by the Department. Title IV–F contains separate provisions for graduate students that reflect Congress' assessment of factors relevant to the financial need of those students.

The Secretary notes that a project period for this program was established for "up to 60 months" to accommodate the doctoral competition. The Secretary expects that projects funded under the masters' level and professional study competition would generally be for a project period of 24 or 36 months.

Program Authority: 20 U.S.C. 1134, 1134d–1134g.

Dated: June 11, 1993.

Maureen A. McLaughlin,

Acting Assistant Secretary for Postsecondary Education.

[FR Doc. 93–14185 Filed 6–15–93; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF EDUCATION

[CFDA No. 84.094B]

Patricia Roberts Harris Fellowship Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1993

Purpose of Program: To provide, through institutions of higher education, grants to assist in making available the benefits of master's level, professional, and doctoral education programs to women and individuals from minority groups who are underrepresented in these programs. This program supports National Education Goal Five calling for adult Americans to possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Eligible Applicants: Institutions of higher education that offer a program of postbaccalaureate study leading to a master's level, professional, or doctoral degree other than schools or departments of divinity, are eligible to receive grants under this program.

Deadline for Transmittal of Applications: July 19, 1993.

Deadline for Intergovernmental Review: September 17, 1993.

Applications Available: June 16, 1993.

Available Funds: $11,791,000 of which $5,346,000 is available for awards for master's level and professional study and $6,345,000 is available for awards for doctoral education programs.

Estimated Range of Awards: $46,000 to $460,000.

Estimated Average Size of Awards: $92,000.

Estimated Number of Awards: 128.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

Budget Period: 12 months.

Applicable Regulations: (a) The Education Department General Administration Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 82, 85, and 86; and (b) When published as final regulations, the Patricia Roberts Harris Fellowship Program regulations.

SUPPLEMENTARY INFORMATION: On March 1, 1993, the Secretary published a notice of proposed rulemaking (NPRM) for the Patricia Roberts Harris Fellowship Program in the **Federal Register** (58 FR 11928–11937). In addition, on March 24, 1993, the Secretary published a notice in the **Federal Register** (58 FR 15824) to correct an error in the NPRM by restoring language inadvertently deleted from the definition of "Minority" in § 649.6(b) of the proposed regulations. The public comment period for the notice of proposed rulemaking ended on March 31, 1993.

It is not the policy of the Department of Education to solicit applications before the publication of final regulations. However, in this case it is necessary to solicit applications on the basis of the NPRM in order to have sufficient time available to conduct the competition and make awards prior to the end of the fiscal year (September 30, 1993).

Eighty-six comments were received in response to the Secretary's invitation to comment on the NPRM. In response to these comments, the Secretary anticipates making a number of changes to the regulations proposed in the NPRM. These changes are discussed in a summary of anticipated changes published in this issue of the **Federal Register**.

Applicants should prepare their grant applications based on the provisions in the NPRM, as amended by the changes discussed in the summary of anticipated changes published in this issue of the **Federal Register**. If the Secretary makes any changes in the regulations that were not discussed in the summary of anticipated changes, applicants will be given an opportunity to revise their applications.

Priorities

Master's Level and Professional Study Competition

Under 34 CFR 75.105(c)(3) and 34 CFR 649.22 of the notice of proposed rulemaking the Secretary gives an absolute preference to applications that meet the following priorities. The Secretary funds under this competition only applications that meet both of these absolute priorities:

Absolute Priority 1—

Fellowships in the award of which priority is given to women or individuals from minority groups, or both, who are pursuing master's level or professional study and are underrepresented in the academic field for which a grant award is sought.

Absolute Priority 2—

Fellowships in the following academic career fields that the Secretary has identified, from among the academic areas listed in the appendix of the notice of proposed rulemaking, as high national priority for the purpose of the master's level and professional study competition in FY 1993:

Business and management
Computer and information sciences
Education
Engineering
Health sciences
Law
Life sciences
Mathematics
Physical sciences
Public administration and services

Competitive Preference Priority

Under 34 CFR 75.105(c)(2)(i) and 34 CFR 649.22(b) of the notice of proposed rulemaking the Secretary gives preference to applications that meet the following competition priority. The Secretary awards one point to each academic field for which the applicant is requesting funding that meets this competitive preference in a particularly effective way. This point is in addition to any points the application earns under the institutional and academic field selection criteria for the master's level and professional study competition under this program:

Fellowships in the award of which priority is given to women or individuals from minority groups, or both, who are pursuing master's level study leading to careers that serve the public interest.

Doctoral Study Competition

Under 34 CFR 75.105(c)(3) and 34 CFR 649.32 of the notice of proposed rulemaking the Secretary gives an absolute preference to applications that meet both of these absolute priorities:

Absolute Priority 1—

Fellowships in the award of which priority is given to women undertaking doctoral study, or individuals from traditionally underrepresented groups undertaking doctoral study, or both.

Absolute Priority 2—

Fellowships in the following academic career fields that the Secretary has identified, from among the academic areas listed in the appendix of the notice of proposed rulemaking, as high national priority for the purpose of the doctoral study competition in FY 1993:

Computer and information sciences
Education
Engineering
Health sciences (medical research and nursing only)
Life sciences
Mathematics
Physical sciences

Stipend Level

The Secretary has determined that the maximum fellowship stipend for academic year 1993–1994 is $14,000, which is equal to the level of support that the National Science Foundation is providing for its graduate fellowships.

FOR APPLICATIONS OR INFORMATION CONTACT: Dr. Charles H. Miller, U.S. Department of Education, 400 Maryland Avenue, SW., ROB–3, room 3022, Washington, DC 20202–5251. Telephone: (202) 708–8395. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Program Authority: 20 U.S.C. 1134, 1134d–1134g.

Dated: June 8, 1993.

Maureen A. McLaughlin,

Acting Assistant Secretary for Postsecondary Education.

[FR Doc. 93–14186 Filed 6–15–93; 8:45 am]

BILLING CODE 4000–01–M