

Weight not over (pounds)	Zone							
	Local	1 & 2	3	4	5	6	7	8
11.0 .....	\$0.783	\$1.173	\$1.393	\$1.789	\$2.372	\$2.999	\$3.747	\$4.385
12.0 .....	.806	1.216	1.456	1.888	2.524	3.208	4.024	4.720
13.0 .....	.829	1.259	1.519	1.987	2.676	3.417	4.301	5.055
14.0 .....	.852	1.302	1.582	2.086	2.828	3.626	4.578	5.390
15.0 .....	.875	1.345	1.645	2.185	2.980	3.835	4.855	5.725

b. Carrier Route Bulk Bound Printed Matter:

Weight not over (pounds)	Zone							
	Local	1 & 2	3	4	5	6	7	8
11.0 .....	\$0.720	\$1.110	\$1.330	\$1.726	\$2.309	\$2.936	\$3.684	\$4.322
12.0 .....	.743	1.153	1.393	1.825	2.461	3.145	3.961	4.657
13.0 .....	.766	1.196	1.456	1.924	2.613	3.354	4.238	4.992
14.0 .....	.789	1.239	1.519	2.023	2.765	3.563	4.515	5.327
15.0 .....	.812	1.282	1.582	2.122	2.917	3.772	4.792	5.662

\* \* \* \* \*

An appropriate amendment to 39 CFR 111.3 will be published to reflect these changes.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 97-26031 Filed 9-30-97; 8:45 am]

BILLING CODE 7710-12-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Health Resources and Services Administration**

**42 CFR Part 57**

RIN 0906-AA47

**Grants for Residency Training and Advanced Education in the General Practice of Dentistry**

**AGENCY:** Health Resources and Services Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** This technical amendment revises the regulations governing the program for Grants for Residency Training and Advanced Education in the General Practice of Dentistry, authorized by section 749 of the Public Health Service Act (the Act), to modify the application and review criteria to be consistent with current Agency streamlining efforts.

**DATES:** These regulations are effective October 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Bernice Parlak, Acting Director, Division of Associated, Dental, and Public Health Professions, Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-101, Rockville,

Maryland 20857; telephone: (301) 443-6853.

**SUPPLEMENTARY INFORMATION:** This final rule amends the existing regulations for Grants for Residency Training and Advanced Education in the General Practice of Dentistry, governed by section 749 of the Public Health Service (PHS) Act (42 U.S.C. 293m) to remove redundant application and project requirements, and to revise the evaluation criteria to eliminate duplication and bring the language into compliance with current grants policy. Specific changes are discussed below according to the section numbers and headings of the regulations affected.

**Section 57.1104 How must an entity apply for a grant?**

Section 57.1104 is revised to remove the phrase "in particular the requirements of § 57.1105" because this language is unnecessary and redundant.

**Section 57.1105 What requirements must a project meet?**

The project requirements listed in paragraphs (a), (c), (d), and (f) of this section are being removed because they are redundant to the accreditation standards published by the American Dental Association Commission on Dental Accreditation. Compliance with these accreditation standards is an eligibility requirement of the grant program, as described in § 57.1103. The paragraphs (a), (c), (d) and (f) in § 57.1105 that are being removed are as follows:

(a) The project staff must plan, develop, and/or operate an approved residency or advanced educational program in the general practice of dentistry.

(c) If the training site provides medical care, then the medical and

dental care of patients must be coordinated.

(d) If a primary care medical residency program is conducted by the applicant, then joint training experiences must be provided. For purposes of this paragraph, primary care means internal medicine, family medicine, or pediatrics.

(f) The training program, the performance of each participant, and the quality of patient care must be evaluated.

**Section 57.1106 What are the criteria for deciding which applications are to be funded?**

The heading of the section is being revised to read, "How will applications be evaluated?"

Further, the evaluation criteria are being revised to reflect current Agency initiatives to streamline and standardize the review of health professions education grant applications. The revision shifts the language of the criteria from passive to active voice, and reflects increased attention to measurable performance goals and outcomes. The introductory text of the section will be designated as paragraph (a). The following paragraphs (1) through (8) list the revised evaluation criteria:

(1) The proposal addresses the legislative intent of the program and has a well-documented rationale;

(2) The objectives of the proposed project are consistent with the program's rationale, and are measurable and achievable within the project period;

(3) The proposed project's methodology is consistent with the objectives and explained in appropriate detail;

(4) The evaluation is linked to the objectives and addresses the project outcomes;

(5) The applicant demonstrates the administrative and managerial capability to carry out the proposed project;

(6) The proposed budget is complete, appropriate, cost-effective, and clearly justified;

(7) The plan for institutionalizing the project outcomes is specific and realistic; and

(8) The proposal plans to attract, maintain, and graduate minority and disadvantaged students.

A new paragraph (b) is added to indicate the following:

(b) In determining the funding of applications approved, under paragraph (a) of this section, the Secretary will consider any special factors relating to national needs as the Secretary may from time to time announce in the **Federal Register**.

#### **Justification for Omitting Notice of Proposed Rulemaking**

These technical changes do not change the focus or intent of the grant program; they are "housekeeping measures" which are intended to update the existing regulations to be consistent with current grants policy. Further, in the last two years, the Agency has had numerous concerns about the duplication of the evaluation criteria as well as the project requirements from peer reviewers evaluating the grant applications and from the grantees for compliance in meeting project requirements. These amendments address the concerns raised by our customers.

Since these amendments are of a technical 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.

#### **Economic Impact**

Executive Order 12866 requires all regulations reflect consideration of alternatives, of costs, of benefits, of incentives, of equity, and of available information. Regulations must meet certain standards, such as avoiding unnecessary burden. Regulations which are "significant" because of costs, adverse effects on the economy, inconsistency with other agency actions, effects on the budget, or novel legal or policy issues, require special analysis.

The Department believes the resources required to implement the requirements in this final rule are minimal. Therefore, in accordance with the Regulatory Flexibility Act of 1980 (RFA), and the Small Business Regulatory Enforcement Fairness Act of 1996 which amended the RFA, the Secretary certifies these regulations will

not have a significant impact on a substantial number of small entities. For the same reasons, the Secretary also has determined this is not a "significant" rule under Executive Order 12866.

#### **Academic and Community Partnerships**

As part of its long-range planning, the Health Resources and Services Administration will be targeting its efforts to strengthening linkages between U.S. Public Health Service education programs and programs which provide comprehensive primary care services to the underserved.

#### **Smoke-Free Workplace**

The Public Health Service strongly encourages all grant recipients to provide a smoke-free workplace and to promote the non-use of all tobacco products and Public Law 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities that receive Federal funds in which education, library, day care, health care, and early childhood development services are provided to children.

#### **Paperwork Reduction Act of 1995**

This final rule does not affect the recordkeeping or reporting requirements in the existing regulations for the Grants for Residency Training and Advanced Education in the Practice of General Dentistry Program. The reporting requirements for data collections under § 57.1804 are currently approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 under OMB No. 0915-0060.

#### **List of Subjects Under 42 CFR Part 57**

Aged, Dental health, Education of the disadvantaged, Educational facilities, Educational study programs, Grant programs—education, Grant programs—health, Health facilities, Health professions, Loan programs—health, Medical and dental schools, Student aid, Reporting and recordkeeping requirements, Scholarships and fellowships.

(Catalog of Federal Domestic Assistance, No. 93.897, Grants for Residency Training and Advanced Education in the General Practice of Dentistry.)

Approved: September 26, 1997.

**Claude Earl Fox,**

*Acting Administrator, Health Resources and Services Administration.*

Accordingly, 42 CFR part 57, subpart L is amended as set forth below:

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

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

1. The authority for 42 CFR part 57, subpart L 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. 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); renumbered as sec. 749, as amended by Pub. L. 102-408, 106 Stat. 2043-2044 (42 U.S.C. 293m).

#### **§ 57.1104 [Amended]**

2. Section 57.1104, is amended by removing the phrase " , in particular the requirements of § 57.1105" at the end of paragraph (c) (1).

3. Section 57.1105 is revised to read as follows:

#### **§ 57.1105 What requirements must a project meet?**

A project supported under this subpart must meet the following requirements:

(a) The general practice residency or advanced education program in general dentistry must be accredited by the American Dental Association Commission on Dental Accreditation;

(b) Each project must have at least two participants enrolled in the training program; and

(c) Each participant who receives stipend support must sign a statement of intent to work in the practice of general dentistry.

4. Section 57.1106 is revised to read as follows:

#### **§ 57.1106 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposal as contained in the application. The Secretary may not approve such an application unless a peer review group has recommended the application for approval. The Secretary will award grants to applicants whose projects will best promote the purposes of section 749 of the Act. The Secretary will approve or disapprove applications filed in accordance with § 57.1104, taking into

consideration, among other factors, the degree to which:

(1) The proposal addresses the legislative intent of the program and has a well-documented rationale;

(2) The objectives of the proposed project are consistent with the program's rationale, and are measurable and achievable within the project period;

(3) The proposed project's methodology is consistent with the objectives and explained in appropriate detail;

(4) The evaluation is linked to the objectives and addresses the project outcomes;

(5) The applicant demonstrates the administrative and managerial capability to carry out the proposed project;

(6) The proposed budget is complete, appropriate, cost-effective, and clearly justified;

(7) The plan for institutionalizing the project outcomes is specific and realistic; and

(8) The proposal plans to attract, maintain, and graduate minority and disadvantaged students.

(b) In determining the funding of applications approved under paragraph (a) of this section, the Secretary will consider any special factors relating to national needs as the Secretary may from time to time announce in the **Federal Register**.

[FR Doc. 97-26114 Filed 9-29-97; 10:50 am]  
BILLING CODE 4160-15-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Part 2090

[WO-350-1430-00-24 1A]

RIN 1004-AC65

#### Nonmineral Entries on Mineral Lands

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends part 2090 of Title 43 of the Code of Federal Regulations (CFR) to completely remove subpart 2093 because it is redundant and unnecessary. Subpart 2093 sets forth the various statutory authorities governing nonmineral entries on mineral lands, and describes BLM procedures for processing claims and other actions under those statutes.

**EFFECTIVE DATE:** October 31, 1997.

**ADDRESSES:** You may send inquiries or suggestions to: Director (630), Bureau of Land Management, 1849 C Street NW., Washington, DC. 20240.

**FOR FURTHER INFORMATION CONTACT:** Frances Watson, Telephone: (202) 452-5006 (Commercial or FTS).

#### SUPPLEMENTARY INFORMATION:

##### Contents

- I. Background and Discussion of Final Rule
- II. Procedural Matters

#### I. Background and Discussion of Final Rule

The regulations at 43 CFR part 2090, subpart 2093 repeat language of various statutes dating back to 1902 that govern nonmineral entries on mineral lands, and describe BLM's procedures for processing claims and other actions under those statutes. This subpart is duplicative and unnecessary, and BLM has not used it in over 10 years. The portions of subpart 2093 that contain internal procedures have become largely obsolete since nonmineral entries on mineral lands are extremely rare and are unlikely to become any more widespread, given the scarcity of land on which such entries could be available in the foreseeable future and the repeal of the homestead laws. However, should any applications be submitted in the future, BLM will consider each application based on the guidance provided by applicable statutes; no formal procedural program is necessary. Moreover, internal operating procedures are best suited for publication in the BLM Manual. For these reasons, removing subpart 2093 from the CFR is appropriate.

In the November 1, 1996, **Federal Register** (61 FR 56496), BLM published a proposed rule to completely remove subpart 2093 from 43 CFR. The public was given a 30-day period, ending on December 2, 1996, in which to submit comments on the proposed rule. BLM did not receive any comments, so the final rule is being published unchanged.

#### II. Procedural Matters

##### *National Environmental Policy Act*

The BLM has prepared an environmental assessment (EA), and has found that the rule will not constitute a major Federal action significantly affecting the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record, 1620 L Street, NW, Room 401, Washington, DC. BLM invites the public to review these documents at this address during regular business hours, 7:45 a.m. to 4:15 p.m., Monday through Friday.

##### *Paperwork Reduction Act*

This rule does not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

##### *Regulatory Flexibility Act*

Congress enacted the Regulatory Flexibility Act of 1980, 5 U.S.C. 601 *et seq.*, to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. Based on the discussion in the preamble above, that the rule merely removes redundant and unnecessary requirements, BLM anticipates that this final rule will have no significant impact on the public at large. Therefore, BLM has determined under the RFA that this final rule will not have a significant economic impact on a substantial number of small entities.

##### *Unfunded Mandates Reform Act*

Removal of 43 CFR subpart 2093 will not result in any unfunded mandate to State, local or tribal governments in the aggregate, or to the private sector, of \$100 million or more in any one year.

##### *Executive Order 12612*

The final rule will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, BLM has determined that this rule does not have sufficient federalism implications to warrant preparation of a Federalism assessment.

##### *Executive Order 12630*

The final rule does not represent a government action that interferes with constitutionally protected property rights. Section 2(a)(1) of Executive Order 12630 specifically exempts actions abolishing regulations or modifying regulations in a way that lessens interference with private property use from the definition of "policies that have takings implications." Since the primary function of the final rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. Therefore, the Department of the Interior has determined that the rule would not cause a taking of private property, or require further discussion