

adopt regulations consistent with the Federal requirements.

### III. Administrative Requirements

#### A. Official File

Copies of the State's submittal and other information relied upon for the final interim approval, including public comments on the proposal received and reviewed by EPA, are maintained in the official file at the EPA Regional Office. The file is an organized and complete record of all the information submitted to, or otherwise considered by, EPA in the development of this final interim approval. The official file is available for public inspection at the location listed under the ADDRESSES section of this document.

#### B. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

#### C. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

#### D. Unfunded Mandates Reform Act of 1995

Under section 202 of the Unfunded Mandates Reform Act of 1995, signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of \$100 million or more. Under section 205, EPA must select the most cost effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule. EPA has determined that the final interim approval action promulgated today does not include a Federal mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to

the private sector, result from this action.

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: December 27, 1996.  
Valdas V. Adamkus,  
Regional Administrator.

Part 70, title 40 of the Code of Federal Regulations is amended as follows:

#### PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

2. Appendix A to part 70 is amended by adding the entry for Michigan in alphabetical order to read as follows:

Appendix A to Part—70—Approval Status of State and Local Operating Permits Programs

\* \* \* \* \*

Michigan

(a) Department of Environmental Quality: received on May 16, 1995, July 20, 1995, October 6, 1995, November 7, 1995, and January 8, 1996; interim approval effective on February 10, 1997; interim approval expires February 10, 1999.

(b) (Reserved)

\* \* \* \* \*

[FR Doc. 97-643 Filed 1-9-97; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### 45 CFR Part 1311

RIN 0970-AB56

#### Head Start Program

AGENCY: Administration on Children, Youth and Families (ACYF), Administration for Children and

Families (ACF), Health and Human Services (HHS).

**ACTION:** Final rule.

**SUMMARY:** The Administration on Children, Youth and Families is issuing this final rule to implement a new statutory provision authorizing the Secretary to create a Head Start Fellows Program for staff in local Head Start programs or other individuals working in the field of child development, child care, early childhood education, health, and family services.

**EFFECTIVE DATE:** February 10, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dennis Gray, Head Start Bureau, Administration on Children, Youth and Families, P.O. Box 1182, Washington, D.C. 20013; (202) 205-8404.

#### SUPPLEMENTARY INFORMATION:

##### I. Program Purpose

Public Law 103-252, the Human Services Amendments of 1994, amended the Head Start Act to authorize the creation of a Head Start Fellows Program (HSFP), which will support professional development of individuals working in Head Start or related programs.

The Head Start Bureau is pleased with the opportunity to develop the HSFP. The Bureau anticipates that the HSFP will provide Head Start Fellows with a unique opportunity to be exposed to activities, issues, resources, and new approaches through placements that will include national and regional Head Start offices, academia, and other public or private nonprofit entities and organizations concerned with services to children and families. The Head Start Bureau will benefit from the valuable perspectives brought by the Fellows currently working in Head Start and other programs across America to the national policy making process.

##### II. Summary of the Final Rule

The authority for this final rule is section 1150 of Public Law 103-252, the Human Services Amendments of 1994 (the Act) which added section 648A(d) to the Head Start Act (42 U.S.C. 9843). Section 648A(d) authorizes the Secretary to establish a program of Head Start Fellowships. Section 648A(d)(6) authorizes the Secretary to make expenditures not to exceed \$1,000,000 for any fiscal year for stipends and other reasonable expenses for the Fellows Program. Additional authority is found in section 648A(d)(8), which mandates that the Secretary promulgate regulations to carry out section 648A(d).

The Act specifies:

- To whom Fellowships may be competitively awarded;

- Placement locations for Head Start Fellows;
- The duration of Head Start Fellowships; and
- The status of Head Start Fellows.

### III. Rulemaking History

On May 15, 1996, the Department published a Notice of Proposed Rulemaking (NPRM) in the Federal Register (61 FR 24467) proposing to establish a rule to implement the statutory provision establishing the Head Start Fellows Program, including selection, placement, duration and status of the Head Start Fellows. Interested persons were given 60 days in which to comment on the proposed rule. During the 60 day comment period the Department received comments from seven individuals in Head Start, child care, and early intervention programs.

### IV. Section by Section Discussion of the Comments Received

No comments were received on sections 1311.1 (Head Start Fellows Purpose), 1311.2 (Definitions), and 1311.3 (Application Process).

#### *Section 1311.4 Qualifications, Selection, and Placement*

*Comment:* We received one comment that a specified number of Fellows slots should be reserved for people employed in Head Start at the local level. The individual also commented that non-Head Start program staff, especially early childhood specialists and consultants, should receive a lower priority rating in the selection process.

*Response:* It is anticipated that some local Head Start program staff will emerge as Fellows from each year's selection process. However, the purpose of the program is broader than Head Start and is aimed at a wider audience than the current Head Start community. The program's purpose is to build leadership and enhance the ability of the Fellows to make significant contributions throughout the early childhood and family services field. Establishing a quota for Head Start employees or otherwise placing eligible individuals from non-Head Start programs at a disadvantage would distort the nature of the competitive process and, we believe, is not in accordance with the intent of the legislation.

*Comment:* One comment suggested that the final rule should identify all organizations involved in the selection process and describe the role of each.

*Response:* This comment is in reference to the Council for Early Childhood Professional Recognition

("the Council"), a Washington, D.C.-based non-profit organization which is assisting with the implementation of the HSFP through a Cooperative Agreement between it and the Administration on Children, Youth and Families. The Council competed successfully for this Cooperative Agreement and is providing support for the development and operation of this program in myriad ways. Also involved is the Commission on National Head Start Fellowship, which is an entity which the Council and the Head Start Bureau jointly established and consists of nationally prominent individuals in early childhood and family services. The Commission is also providing substantial support in the ongoing development of the program, including the formulation and application of selection criteria and the actual recommendation of Fellows for selection.

Although we anticipate that these entities will remain involved throughout the currently legislated duration of the program, the HSFP is still in its developmental stage. It may become necessary at some point to change these relationships or establish entirely new relationships. For this reason it is our judgment that this should not be written into the regulation.

*Comment:* One comment to this section maintained that the selection criteria for choosing the Fellows should be published and weighted.

*Response:* There is merit to this argument in that the applicants would know with greater specificity the criteria on which they are being judged and the weight accorded each criterion and would therefore be able to respond more appropriately. Nevertheless, it is our judgment that specifying and precisely formulating the criteria and their relative weights would unduly restrict current Commissioners and future Commissioners in the selection process. However, we will be discussing this issue and the possibility of inclusion of criteria and their weights in the application package for future classes of Fellows at the next meeting of the Commission on National Head Start Fellowships.

#### *Section 1311.5 Duration of Fellowships and Status of Head Start Fellows*

*Comment:* We received one comment that, although the NPRM is clear, other information regarding the Fellowship is unclear as to whether the Fellowship placement is for one or for two years.

*Response:* We appreciate this comment and will assure that all

documents to be used in the future regarding the Fellows Program specifically state that the Fellowship are for one year but may be renewed for a term of one additional year.

### V. Impact Analysis

#### *Executive Order 12866*

This final rule implements the statutory authority to create a HSFP. Congress authorized expenditures allotted under section 640(a)(2)(D) of the Head Start Act, not to exceed \$1 million in any fiscal year. This section allows for expenditures at the Secretary's discretion.

#### *Regulatory Flexibility Act of 1980*

The Secretary certifies that this rule will not have a significant impact on substantial numbers of small entities.

#### *Paperwork Reduction Act*

Under the Paperwork Reduction Act of 1995, Public Law 104-13, all Departments are required to submit to the Office of Management and Budget (OMB) for review and approval any reporting or record-keeping requirement inherent in a proposed rule or, if necessary, a final rule. This final rule contains an information collection requirement in section 1311.3 with regard to the application process for individuals applying for the HSFP. No comments were received on section 1311.3. The information collection remains the same as set forth in the NPRM.

We submitted section 1311.3 to OMB for review and approval in accordance with the Paperwork Reduction Act. The OMB control number is 0970-0140 and has been inserted at the end of section 1311.3. The expiration date is 7/31/99.

#### List of Subjects in 45 CFR Part 1311

Education of disadvantaged, Grant programs—social programs, Scholarships and fellowships.

(Catalog of Federal Domestic Assistance Program Number 93.600, Project Head Start)

Approved: December 17, 1996.

Olivia A. Golden,

*Acting Assistant Secretary for Children and Families.*

For the reasons set forth in the Preamble, 45 CFR Chapter XIII is amended by adding a new Part 1311 as follows:

### **PART 1311—HEAD START FELLOWS PROGRAM**

Sec.

1311.1 Head Start Fellows Program purpose.

1311.2 Definitions.

1311.3 Application process.

1311.4 Qualifications, selection, and placement.

1311.5 Duration of Fellowships and status of Head Start Fellows.

Authority: 42 U.S.C. 9801 *et seq.*

**§ 1311.1 Head Start Fellows Program Purpose.**

(a) This part establishes regulations implementing section 648A(d) of the Head Start Act, as amended, 42 U.S.C. 9801 *et seq.*, applicable to the administration of the Head Start Fellows Program, including selection, placement, duration and status of the Head Start Fellows.

(b) As provided in section 648A(d) of the Act, the Head Start Fellows Program is designed to enhance the ability of Head Start Fellows to make significant contributions to Head Start and to other child development and family services programs.

**§ 1311.2 Definitions.**

As used in this part:

*Act* means the Head Start Act, as amended, 42 U.S.C. 9801 *et seq.*

*Associate Commissioner* means the Associate Commissioner of the Head Start Bureau in the Administration on Children, Youth and Families.

*Head Start Fellows* means individuals who participate in the Head Start Fellows Program, who may be staff in local Head Start programs or other individuals working in the field of child development and family services.

**§ 1311.3 Application process.**

An individual who wishes to obtain a Fellowship must submit an application to the Associate Commissioner. The Administration for Children and Families will publish an annual announcement of the availability and number of Fellowships in the Federal Register. Federal employees are not eligible to apply. (The information collection requirement contained in this section is approved under OMB Control Number 0970-0140.)

**§ 1311.4 Qualifications, selection, and placement.**

(a) The Act specifies that an applicant must be working on the date of application in a local Head Start program or otherwise working in the field of child development and family services. The qualifications of the applicants for Head Start Fellowship positions will be competitively reviewed. The Associate Commissioner will make the final selection of the Head Start Fellows.

(b) Head Start Fellows may be placed in:

(1) The Head Start national and regional offices;

(2) Local Head Start agencies and programs;

(3) Institutions of higher education;

(4) Public or private entities and organizations concerned with services to children and families; and

(5) Other appropriate settings.

(c) A Head Start Fellow who is not an employee of a local Head Start agency or program may only be placed in the national or regional offices within the Department of Health and Human Services that administer Head Start or local Head Start agencies.

(d) Head Start Fellows shall not be placed in any agency whose primary purpose, or one of whose major purposes is to influence Federal, State or local legislation.

**§ 1311.5 Duration of Fellowships and status of Head Start Fellows.**

(a) Head Start Fellowships will be for terms of one year, and may be renewed for a term of one additional year.

(b) For the purposes of compensation for injuries under chapter 81 of title 5, United States Code, Head Start Fellows shall be considered to be employees, or otherwise in the service or employment, of the Federal Government.

(c) Head Start Fellows assigned to the national or regional offices within the Department of Health and Human Services shall be considered employees in the Executive Branch of the Federal Government for the purposes of chapter 11 of title 18, United States Code, and for the purposes of any administrative standards of conduct applicable to the employees of the agency to which they are assigned.

[FR Doc. 97-576 Filed 1-9-97; 8:45 am]

BILLING CODE 4184-01-P

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 571**

[Docket No. 74-14; Notice 111]

RIN 2127-AG24

**Federal Motor Vehicle Safety Standards; Occupant Crash Protection**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** In response to a petition from the Ford Motor Company, this document grants a four-month extension of the date by which vehicles with a gross vehicle weight rating (GVWR) of more than 8,500 pounds and less than

10,000 pounds must comply with the requirements for safety belt fit.

**DATES:** *Effective Date:* The amendments made in this rule are effective September 1, 1997.

*Petition Date:* Any petitions for reconsideration must be received by NHTSA no later than February 24, 1997.

**ADDRESSES:** Any petitions for reconsideration should refer to the docket and notice number of this notice and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** The following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590:

*For non-legal issues:* Clarke Harper, Office of Crashworthiness Standards, NPS-11, telephone (202) 366-2264, facsimile (202) 366-4329, electronic mail "charper@nhtsa.dot.gov".

*For legal issues:* Edward Glancy, Office of the Chief Counsel, NCC-20, telephone (202) 366-2992, facsimile (202) 366-3820, electronic mail "eglancy@nhtsa.dot.gov".

**SUPPLEMENTARY INFORMATION:** On August 3, 1994, NHTSA published a final rule amending Standard No. 208, *Occupant Crash Protection*, to improve safety belt fit and thus the rate of belt use by requiring that Type 2 safety belts installed for adjustable seats in vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds or less either be integrated with the vehicle seat or be equipped with a means of adjustability to improve the fit and increase the comfort of the belt for a variety of different sized occupants (59 FR 39472). The final rule specified that the amendment take effect September 1, 1997.

On December 22, 1995, the Ford Motor Company (Ford) petitioned the agency to extend the effective date of this new requirement for vehicles with a GVWR between 8,500 and 10,000 pounds from September 1, 1997 to January 1, 1998. In its petition, Ford stated that unexpected developmental problems with a new truck platform prevented it from beginning production by September 1, 1997, as originally expected. Ford stated that redesigning the existing truck platform to meet the September 1, 1997 effective date would cost \$4.5 million or \$100 per vehicle. A more detailed explanation of Ford's basis for the extension was included in the notice of proposed rulemaking (NPRM) (61 FR 39432).

On July 29, 1996, NHTSA published an NPRM proposing to extend the