discussed above, the Court's opinion does not change our analysis under section 211(c)(2)(A).

Moreover, the Court's decision is not relevant to the second criterion of section 211(c)(1). Under this criterion, EPA is proposing the sulfur standards based on our belief that sulfur in the gasoline that will be used in Tier 2 technology vehicles will significantly impair the emissions control systems expected to be used in such vehicles. The Court's decision does not affect this proposal, as EPA's position on the sulfur sensitivity of Tier 2 emissions control technology is based on a technical analysis of the capability of vehicle emission control technology.

As required by section 211(c)(2)(B) prior to regulation under this criterion of section 211(c)(1), EPA also considered the available scientific and economic data, including an analysis of costs and benefits of emissions control systems that are or will be in general use and require low sulfur fuel, and those that are or will be in general use and do not require low sulfur fuel. As described in Appendix D of the Regulatory Impact Analysis, EPA believes that there are no emissions control systems for gasoline vehicles meeting the proposed Tier 2 standards that would not require low sulfur fuel, and therefore believes that the benefits that would be achieved through implementation of the proposed Tier 2 and gasoline sulfur programs cannot be achieved through the use of emission control technology that is not sulfur-sensitive. The efficiency of catalytic converters used in gasoline-powered vehicles is very sensitive to the level of sulfur in gasoline. As discussed in the Regulatory Impact Analysis supporting the rule, NO_X emissions increase by about 15% in Tier 1 vehicles as gasoline sulfur levels rise from 40 to 330 ppm. LEV technologies are even more sensitive to sulfur, with NO_X increases of 40–130% measured in testing programs. NLEV vehicles are now being sold in the northeastern United States and will be sold in the remainder of the United States by 2001. A substantial portion of the NO_X emission reduction benefits from the gasoline sulfur program would arise immediately as a result of the reductions of emissions in the current fleet in these early years. As described in section II.A.1.b. above, the Court's decision does not affect EPA's analysis of the costs and benefits of the Tier 2 program or the gasoline sulfur program. Moreover, the Court's decision is not relevant to EPA's analysis of whether vehicle emissions control technology that is not sulfur-sensitive will be in general use.

EPA's proposal also proposes that the sulfur standards are feasible in the lead time provided. The Court's decision does not concern this issue and therefore does not disturb EPA's rationale.

III. Public Comment

We seek comments on all aspects of this Supplemental document, including the continuing need for Tier 2 emission standards for vehicles and reducing sulfur in gasoline to attain and maintain the NAAQS. In addition, we have just completed four public hearings around the country on the Tier 2 proposal and continue to welcome written public comments on the Tier 2/Gasoline sulfur proposal until the closing date of August 2, 1999. Please see the **ADDRESSES** section in this document for how and where to send any comments on the Tier 2 Proposal, as well as any comments you may have on the supplemental information provided in today's document.

Dated: June 23, 1999.

Carol M. Browner,

Administrator.

[FR Doc. 99–16683 Filed 6–29–99; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

42 CFR Part 66

RIN 0925–AA16

National Research Service Awards

AGENCY: National Institutes of Health, Department of Health and Human Services.

ACTION: Notice of proposed rulemaking.

SUMMARY: The National Institutes of Health (NIH) proposes to amend the regulations governing National Research Service Awards (NRSA) in order to incorporate changes necessitated by enactment of the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992, Public Law 102–321, and the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

DATES: Comments on the proposed changes must be received on or before August 30, 1999 in order to ensure that NIH will be able to consider the comments in preparing the final rule.

ADDRESSES: Comments should be sent to Jerry Moore, NIH Regulations Officer, National Institutes of Health, 6011 Executive Blvd., Room 601, MSC 7669, Rockville, MD 20892.

FOR FURTHER INFORMATION CONTACT: Jerry Moore, NIH Regulations Officer, at the address above, or telephone (301) 496–4607 (not a toll-free number). For further information about the National Research Service Awards program contact the Extramural Outreach and Information Resources Office (EOIRO), Office of Extramural Research, 6701 Rockledge Drive, Room 6208, MSC 7910, Bethesda, MD 20892–7910, (301) 435–0714 (not a toll-free number). Information may also be obtained by contacting the EOIRO via its e-mail address (asknih@odrockm1.od.nih.gov) and by browsing the NIH Home Page site on the World Wide Web (http://www.nih.gov).

SUPPLEMENTARY INFORMATION: The ADAMHA Reorganization Act of 1992, Pub. L. 102–321, was enacted on July 10, 1992. That Act transferred the National Institute on Alcohol Abuse and Alcoholism (NIAAA), the National Institute on Drug Abuse (NIDA), and the National Institute of Mental Health (NIMH) to NIH, effective October 1, 1992, and provided for the administration of treatment and service programs under a newly created Substance Abuse and Mental Health Services Administration (SAMHSA). In order to avoid confusion between the ADAMHA Minority Access to Research Careers (MARC) and the NIH MARC program, the name of the ADAMHA program was changed to Career Opportunities in Research Education and Training (COR). Currently, the MARC program is administered by the National Institute of General Medical Sciences (NIGMS) and the COR program is administered by the NIMH. NIH proposes revising paragraph (g) of § 66.102 of the existing regulation to reflect this name change and the current organization locations of the respective programs.

Subsequently, the National Institutes of Health Revitalization Act of 1993, Public Law 103–43, was enacted on June 10, 1993. Provisions of that Act necessitate that NIH make changes in both Subparts A and B of the current regulations governing the NRSA program.

Section 1601 of Public Law 103–43 directs the Secretary of Health and Human Services (HHS) to conduct the NRSA program in a manner that will result in the recruitment of women and individuals from disadvantaged backgrounds (including racial and ethnic minorities) into fields of biomedical or behavioral research and the provision of research training to

women and those individuals. The United States House of Representatives report accompanying the NIH Revitalization Act of 1993 suggested that NIH consider the possibility of permitting part-time research training for women to keep them from losing training experience while having child care responsibilities. NIH proposes to revise paragraph (b) of § 66.103 of the current NRSA regulations and add a new paragraph (c) to permit individuals, in cases of disability or pressing family need, part-time research or training. Additionally, paragraph (a) of § 66.103 would be amended by changing the word ''application'' to read ''the award'' to reflect the current policy with regard to eligibility requiring that a recipient must be lawfully admitted to the United States for permanent residence at the time of the award rather than at the time of application.

Section 1602 of the NIH Revitalization Act of 1993 substantially modifies the service payback obligation under the NRSA program. Under provisions of the new law, only individuals in the first twelve months of postdoctoral training incur a payback obligation. Additionally, individuals may pay back this obligation by engaging in service for an equal period of health-related research or health-related teaching; or, if individuals receive an NRSA for more than twelve months, each month beyond 12 months will count toward satisfaction of the repayment obligation. NIH proposes to amend § 66.105 by revising paragraphs (a), (b), and (c); revise § 66.110 in its entirety; amend § 66.111 of subpart A by revising paragraph (a)(1), the introductory language of paragraph (b), and paragraph (b)(4); and amend § 66.205 of subpart B by revising paragraphs (a)(1) and (b) to reflect these changes in the payback obligation. Additionally, paragraph (a)(2) would be amended by changing the word ''application'' to read ''the award'' in order to reflect the current policy with regard to eligibility requiring that a recipient must be lawfully admitted to the United States for permanent residence at the time of the award rather than at the time of application. Paragraph (b) of § 66.205 would be amended by changing the reference to ''§ 66.106(d)'' to read ''§ 66.106(e)'' to correct an error in the current text.

In § 66.112, subpart A, the reference to the regulations pertaining to inventions and patents at 45 CFR parts 6 and 8 would be removed to reflect the rescinding of parts 6 and 8, effective on October 22, 1996 (61 FR 54743); and the references to the regulations pertaining to debarment and suspension at 45 CFR part 76 and the guidelines for research involving recombinant DNA molecules would be amended to comply with **Federal Register** format requirements. The title of § 66.112 would be amended to reflect that policies, as well as regulations, are referenced in that section.

In § 66.207, the reference to the regulations pertaining to the administration of grants at 45 CFR part 74, the reference to the regulations pertaining to debarment and suspension from eligibility for financial assistance at 45 CFR part 76, and the reference to the guidelines for research involving recombinant DNA molecules would be amended to comply with **Federal Register** format requirements. Also, a reference to the regulations to ensure objectivity in PHS-funded research at 42 CFR part 50, subpart F, would be added to reflect their applicability to NRSA research training grants and direct fellowship awards.

Additionally, NIH proposes to revise the Authority section and correct the references to section 472 of the Public Health Service Act and the United States Code [42 U.S.C. 289l–1] in § 66.101, § 66.102(d), § 66.105(b), § 66.106(a)(2), § 66.201, and 66.206(a)(3) to reflect the correct citations.

Finally, § 66.104 would be amended by adding the word ''and'' immediately following the word ''resources'' in paragraph (b)(5) to correct an error in the current text.

The purpose of this notice is to invite public comment on the proposed changes to the current NRSA program regulations. The following statements are provided as information for the public.

The Department strongly encourages all grant recipients to provide a smoke-free workplace and to promote the nonuse 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.

Executive Order 12866

This NPRM was reviewed as required under Executive Order 12866 and was deemed to fall within the scope of the definition of the term ''significant regulatory action'' contained in section 3(f) of the Order. Consequently, the NPRM was submitted to the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) for the pre-publication review required for all regulatory actions deemed as ''significant'' under the Order.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. chapter 6) requires that regulatory actions be analyzed to determine whether they create a significant impact on a substantial number of small entities. The Secretary certifies that the proposed changes to the NRSA program regulations would not have a significant economic impact on a substantial number of small entities and, therefore, a regulatory flexibility analysis, as defined under the Regulatory Flexibility Act, is not required.

Paperwork Reduction Act

This NPRM does not contain any information collection requirements that are subject to OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance (CFDA) numbered program affected by this NPRM is: 93.186 National Research Service Awards-Health Service Research Training.

List of Subjects in 42 CFR Part 66

Grant programs—Health research training

Dated: January 13, 1999.

Harold Varmus,

Director, NIH.

Approved: March 11, 1999.

Donna Shalala,

Secretary.

For the reasons set forth in the preamble, part 66, subparts A and B, of title 42 of the Code of Federal Regulations are proposed to be amended as set forth below.

PART 66—NATIONAL RESEARCH SERVICE AWARDS

Subpart A—Direct Awards

1. The authority citation of part 66 would be revised to read as follows:

Authority: 42 U.S.C. 216, 288.

2. Section 66.101 would be revised to read as follows:

§ 66.101 Applicability.

The regulations in this subpart apply to National Research Service Awards made by the Secretary to individuals for research and training to undertake research, under section 487 of the Public Health Service Act, as amended (42 U.S.C. 288).

3. Section 66.102 would be amended by revising paragraphs (d) and (g) to read as follows:

§ 66.102 Definitions.

* * * * *

(d) *Award* means a National Research Service Award under section 487 of the Act (42 U.S.C. 288).

* * * * *

(g) *Predoctoral Training* means training at the post-baccalaureate level in a program leading to the award of a doctor of philosophy of science, or equivalent degree. For purposes of Awards under the Minority Access to Research Careers programs of the National Institute of General Medical Sciences and the Career Opportunities in Research Education and Training programs of the National Institute of Mental Health, *predoctoral training* also means training in a program leading to the award of a baccalaureate in science or equivalent degree.

* * * * *

4. Section 66.103 would be amended by revising paragraphs (a) and (b) and adding a new paragraph (c) to read as follows:

§ 66.103 Eligibility.

* * * * * *

(a) Be a citizen, noncitizen national of the United States, or lawfully admitted to the United States for permanent residence at the time of the award;

(b) Propose to engage in such research, or training to undertake research, in a program specified in section 487(a)(1)(A) of the Act; and

(c) Propose to engage in such research or training to undertake research on a full-time basis except in cases of disability or pressing family need.

5. Section 66.104 would be amended by adding the word ''and'' immediately following the word ''resources'' in paragraph (b)(5). As revised, paragraph (b)(5) would read as follows:

§ 66.104. Application.

* * * * *

(b) * * *

(5) The availability of necessary resources and facilities at the institution where the research or training would be conducted.

6. Section 66.105 would be amended by revising paragraphs (a), (b) introductory text, and (c) to read as follows:

§ 66.105 Requirements.

* * * * *

(a) For any Award made for an individual's initial twelve months of NRSA postdoctoral research or training, the individual has assured the Secretary, in the form and manner the Secretary may prescribe, that he or she will satisfy the requirements of § 66.110.

(b) If the proposed research or training would take place at an institution other than the National Institutes of Health, the institution has assured the Secretary in the form and manner the Secretary may prescribe. The assurance shall indicate that:

* * * * *

(c) The individual has assured the Secretary, in the form and manner the Secretary may prescribe, that the Award to the individual will not be used to support a residency.

7. Section 66.106 would be amended by revising paragraph (a)(2) introductory text to read as follows:

§ 66.106 Awards.

(a) * * *

(2) Whose proposed research or training would, in the judgment of the Secretary, best promote the purposes of section 487(a)(1)(A) of the Act, taking into consideration among other pertinent factors:

* * * * *

8. Section 66.110 would be revised in its entirety to read as follows:

§ 66.110 Service, payback, and recovery requirements.

(a) Each individual who receives an Award for postdoctoral research or training shall engage in a month of research training, research, or teaching that is health-related (or any combination thereof) for each month of support received, up to a maximum of twelve months. Such period shall be served in accordance with the usual patterns of such employment or training.

(b) In any case in which an individual receives an Award for more than twelve months, the thirteenth month and each subsequent month of performing activities under the Award shall be considered to be activities toward satisfaction of the requirement established in paragraph (a) of this section.

(c) Except as provided in § 66.111, an individual subject to the requirements for service in paragraph (a) of this section must begin to undertake the service on a continuous basis within two years after the expiration or termination of his or her Award.

(d) If the individual fails to undertake or perform the service in accordance with the requirements of this section, the United States shall be entitled to recover from the individual an amount determined in accordance with the formula:

$$A = 0\,\frac{(t-s)}{(t)}$$

In which

A is the amount the United States is entitled to recover;

0 is the sum of the total amount paid to the individual for the months of postdoctoral support up to a maximum of twelve months;

t is total number of months in the individual's service obligation;

and s is the number of months of the obligation served by him or her in accordance with paragraph (a) or (b) of this section.

(e) Except as provided in § 66.111, the individual shall pay to the United States any amount which it is entitled to recover under paragraph (d) within a three-year period beginning on the date the United States becomes entitled to recover that amount. Interest shall accrue to the United States until any amount due it under paragraph (d) is paid. The rate of interest will be fixed by the Secretary of the Treasury after taking into consideration private consumer rates of interest prevailing on the date the United States becomes entitled to recovery.

9. Section 66.111 would be amended by revising paragraphs (a) introductory text, (b) introductory text, and (c)(4) to read as follows:

§ 66.111 Suspension, waiver, and cancellation.

(a) The Secretary may extend the period for undertaking service described in § 66.110(c), permit breaks in the continuous service required under § 66.110(c), or extend the period of repayment under § 66.110(e) if the Secretary determines that:

* * * * *

(b) The Secretary may waive, in whole or in part, the obligation of the individual to repay pursuant to § 66.110(d) if the Secretary determines that:

* * * * *

(c) * * *

(4) The extent to which the individual has been engaged in activities encompassed by § 66.110(a) and (b);

* * * * *

10. Section 66.112 would be amended by revising the heading; removing the entry ''45 CFR parts 6 and 8'', revising the entry ''45 CFR part 76'', removing the entry ''48 FR 24556'', and adding the entry ''51 FR 16958 (May 7, 1986)'' to read as follows:

§ 66.112 Other HHS regulations and policies that apply.

* * * * *

45 CFR part 76—Governmentwide debarment and suspension (nonprocurement) and governmentwide requirements for drug-free workplace (grants)

51 FR 16958 (May 7, 1986)—NIH Guidelines for Research Involving Recombinant DNA Molecules. [Note: this policy is subject to change, and interested persons should contact the Office of Recombinant DNA Activities, NIH, Suite 323, 6000 Executive Boulevard, MSC 7052, Bethesda, MD 20892–7052, (301) 496–9838 (not a toll-free number) to obtain references to the current version and any amendments.]

Subpart B—Institutional Grants

11. Section 66.201 would be revised to read as follows:

§ 66.201 Applicability.

The regulations in this subpart apply to grants under section 487 of the Public Health Service Act, as amended (42 U.S.C. 288), to public institutions and to nonprofit private institutions to enable those institutions to make National Research Service Awards to individuals for research and training to undertake research, in programs specified in section 487 of the Act.

12. Section 66.205 would be amended by revising paragraphs (a)(1), (a)(2), and (b) to read as follows:

§ 66.205 Requirements.

(a) * * *

(1) For any award made for an individual's initial twelve months of NRSA postdoctoral research training, the individual has assured the Secretary, in the form and manner the Secretary may prescribe, that he or she will satisfy the requirements of § 66.110 of subpart A of this part;

(2) The individual is a citizen or noncitizen national of the United States or has been lawfully admitted to the United States for permanent residence at the time of the award;

* * * * *

(b) No Award shall be made to an individual under such grant which would provide that individual with aggregate support in excess of five years for predoctoral training and three years for postdoctoral training, unless the Secretary for good cause shown as provided in § 66.106(e) of subpart A of this part, waives the application of the limitation with respect to that individual;

* * * * *

13. Section 66.206 would be amended by revising paragraph (a)(3) introductory text to read as follows:

§ 66.206 Grant awards.

(a) * * *

(3) Whose proposed programs would, in the judgment of the Secretary, best promote the purposes of section 487(a)(1)(B) of the Act, taking into consideration among other pertinent factors:

* * * * *

14. Section 66.207 would be amended by revising the entries for 45 CFR part 74, 45 CFR part 76, and 48 FR 24556; and adding an entry for 42 CFR part 50, subpart F, immediately following the entry ''42 CFR part 50, subpart D'' and an entry for 51 FR 16958 (May 7, 1986) to read as follows:

§ 66.207 Other HHS regulations and policies that apply.

* * * * *

42 CFR part 50, subpart F—Responsibility of applicants for promoting objectivity in research for which PHS funding is sought.

* * * * *

45 CFR part 74—Uniform administrative requirements for awards and subawards to institutions of higher education, hospitals, other nonprofit organizations, and commercial organizations; and certain grants and agreements with states, local governments and indian tribal governments.

* * * * *

45 CFR part 76—Governmentwide debarment and suspension (nonprocurement) and governmentwide requirements for drug-free workplace (grants).

* * * * *

51 FR 16958 (May 7, 1986)—NIH Guidelines for Research Involving Recombinant DNA Molecules. [Note: this policy is subject to change, and interested persons should contact the Office of Recombinant DNA Activities, NIH, Suite 323, 6000 Executive Boulevard, MSC 7052, Bethesda, MD 20892–7052, (301) 496–9838 (not a toll-free number) to obtain references to the current version and any amendments.]

[FR Doc. 99–16340 Filed 6–29–99; 8:45 am]

BILLING CODE 4140–01–P

GENERAL SERVICES ADMINISTRATION

48 CFR Part 552

[GSAR Notice 5–420]

RIN 3090–AH01

Acquisition of Leasehold Interests in Real Property; Historic Preference

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Proposed rule.

SUMMARY: The General Services Administration proposes to amend the General Services Administration Acquisition Regulations (GSAR) by revising the provision at 552.270–4, Historic Preference.

DATES: Comments should be submitted on or before August 30, 1999 to be considered in the formulation of the final rule.

ADDRESSES: Interested parties should submit written comments to: General Services Administration, Office of Acquisition Policy, GSA Acquisition Policy Division (MVP), 1800 F Street, NW, Room 4027, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Nydia M. Coleman, GSA Acquisition Policy Division, (202) 208–0759.

SUPPLEMENTARY INFORMATION:

A. Background

Executive Order (EO) 13006, dated May 21, 1996, requires that the Federal Government utilize and maintain, wherever operationally appropriate and economically prudent, historic properties and districts. Towards that end, the EO establishes that Federal agencies give first consideration to historic properties within historic districts. If no such property is suitable, then Federal agencies shall consider other developed or undeveloped sites within historic districts. Federal agencies shall then consider historic properties outside of historic districts, if no suitable site within a district exists. Based on the requirements of the EO, the GSAR provision has been revised to establish a hierarchy of consideration and to give a price evaluation preference for those considerations.

B. Executive Order 12866

This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

C. Regulatory Flexibility Act

This proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule merely implements an existing EO and imposes no new requirements.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed changes to the GSAR do not impose recordkeeping or information collection requirements, or collections of