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Thursday  
March 18, 1999

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**Part III**

**Department of  
Education**

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**34 CFR Part 648  
Graduate Assistance in Areas of National  
Need; Final Rule**

**DEPARTMENT OF EDUCATION****34 CFR Part 648****Graduate Assistance in Areas of National Need**

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Final regulations.

**SUMMARY:** The Secretary amends the regulations governing the Graduate Assistance in Areas of National Need program to incorporate changes made by the Higher Education Amendments of 1998. These final regulations are needed to reflect changes made by recently enacted legislation.

**EFFECTIVE DATE:** These regulations take effect April 19, 1999.

**FOR FURTHER INFORMATION CONTACT:** Cosette Ryan, U.S. Department of Education, 400 Maryland Avenue, SW., Suite 600 Portals Building, Washington, DC 20202-5247. Telephone: (202) 260-3608. 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.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

**SUPPLEMENTARY INFORMATION:** These final regulations incorporate statutory changes made by the Higher Education Amendments of 1998 (Pub. L. 105-244, enacted October 7, 1998). The changes include eliminating the requirement that the program be limited to students pursuing careers in teaching and research in areas of national need (§ 648.1); requiring an academic department to fulfill its commitment to the student (§ 648.20); and updating references in the regulations (§§ 648.51 and 648.52).

**Goals 2000: Educate America Act**

The Goals 2000: Educate America Act (Goals 2000) focuses the Nation's education reform efforts on the eight National Education Goals and provides a framework for meeting them. Goals 2000 promotes new partnerships to strengthen schools and expands the Department's capacities for helping communities to exchange ideas and obtain information needed to achieve the goals.

The GAANN program furthers the National Education Goal that U.S. students will be first in the world in science and mathematics achievement,

and that every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. The program furthers both goals by providing fellowship assistance to increase the number of teachers with a substantive background in mathematics and science, as well as increase the number of graduate students who complete degrees in mathematics, science, and engineering. The program also furthers these goals by providing fellowship assistance to graduate students so that these students can provide an example for American youth on the importance of continued learning throughout an individual's life.

**Waiver of Proposed Rulemaking**

In accordance with the Administrative Procedure Act, 5 U.S.C. 553, it is customary for the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the changes in this document do not establish any new substantive rules, but simply incorporate recent statutory amendments affecting the Graduate Assistance in Areas of National Need program. Therefore, the Secretary has determined that publication of a notice of proposed rulemaking is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B).

**Regulatory Flexibility Act**

The Secretary certifies that these regulations will not have a significant economic impact on a substantial number of small entities. The small entities affected are small institutions of higher education. However, these regulations incorporate only statutory amendments and will not have a significant economic impact on any of the entities affected.

**Paperwork Reduction Act of 1995**

These regulations have been examined under the Paperwork Reduction Act of 1995 and have been found to contain no information collection requirements.

**Intergovernmental Review**

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

**Assessment of Educational Impact**

The Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

**Electronic Access to This Document**

Anyone may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or portable document format (pdf) via the Internet at either of the following sites:

<http://ocfo.ed.gov/fedreg.htm>  
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To use the pdf you must have the Adobe Acrobat Reader Program with Search, which is available free at either of the previous sites. If you have questions about using the pdf, call the U.S. Government Printing Office at (202) 512-1530 or, toll free, at 1-888-293-6498.

Anyone may also view these documents in text copy only on an electronic bulletin board of the Department. Telephone: (202) 219-1511 or, toll free, 1-800-222-4922.

The documents are located under Option G—Files/Announcements, Bulletins and Press Releases.

**Note:** The official version of this document is the document published in the **Federal Register**.

**List of Subjects in 34 CFR 648**

Colleges and universities, Grant programs—education, Reporting and recordkeeping requirements, and Fellowships.

(Catalog of Federal Domestic Assistance Number 84.200 Graduate Assistance in Areas of National Need)

Dated: March 15, 1999.

**David A. Longanecker,**

*Assistant Secretary for Postsecondary Education.*

The Secretary amends title 34 of the Code of Federal Regulations as follows:

**PART 648—GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED**

1. The authority citation for part 648 is revised to read as follows:

**Authority:** 20 U.S.C. 1135–1135ee, unless otherwise noted.

2. The authority citation for §§ 648.1, 648.2, 648.3, and 648.33 is revised to read as follows:

(Authority: 20 U.S.C. 1135, 1135a)

3. The authority citation for §§ 648.4 and 648.65 is revised to read as follows:  
(Authority: 20 U.S.C. 1135c, 1135d)

4. The authority citation for §§ 648.5, 648.6, and 648.8 is revised to read as follows:  
(Authority: 20 U.S.C. 1135)

5. The authority citation for § 648.7 is revised to read as follows:  
(Authority: 20 U.S.C. 1135b, 1135c)

6. The authority citation for §§ 648.20 and 648.61 is revised to read as follows:  
(Authority: 20 U.S.C. 1135b)

7. The authority citation for §§ 648.30 and 648.40 is revised to read as follows:  
(Authority: 20 U.S.C. 1135, 1135b)

8. The authority citation for §§ 648.31 and 648.32 is revised to read as follows:  
(Authority: 20 U.S.C. 1135-1135c)

9. The authority citation for § 648.41 is revised to read as follows:  
(Authority: 20 U.S.C. 1135, 1135c)

10. The authority citation for § 648.50 is revised to read as follows:  
(Authority: 20 U.S.C. 1135a, 1135c, 1135d)

11. The authority citation for §§ 648.51, 648.60, and 648.70 is revised to read as follows:  
(Authority: 20 U.S.C. 1135c)

12. The authority citation for § 648.52 is revised to read as follows:  
(Authority: 20 U.S.C. 1135d)

13. The authority citation for § 648.62 is revised to read as follows:  
(Authority: 20 U.S.C. 1135b, 1135d)

14. The authority citation for § 648.63 is revised to read as follows:  
(Authority: 20 U.S.C. 1135, 1135b, 1135c)

15. The authority citation for (648.64 is revised to read as follows:  
(Authority: 20 U.S.C. 1135, 1135d)

16. The authority citation for ((648.9 and 648.66 is revised to read as follows:  
(Authority: 20 U.S.C. 1135-1135d)

**§ 648.1 [Amended]**

17. Section 648.1 is amended by removing the last sentence of the section.

**§ 648.20 [Amended]**

18. Section 648.20(b)(7) is amended by removing the word "endeavor" and the word "to" before "fulfill".

19. In § 648.40, paragraphs (a)(8) (iii) and (iv) are revised to read as follows:

**§ 648.40 How does an academic department select fellows?**

- (a) \* \* \*
- (8) \* \* \*

(iii) Provide evidence from the Immigration and Naturalization Service

that they are in the United States for other than a temporary purpose with the intention of becoming permanent residents; or

(iv) Are citizens of any one of the Freely Associated States.

\* \* \* \* \*

**§ 648.51 [Amended]**

20. Section 648.51 is amended by adding "as determined under part F of title IV of the HEA" at the end of the first sentence in paragraph (b).

21. Section 648.52 is amended by designating the existing text as paragraph (a); removing "1993-1994" at the beginning of the first sentence and adding, in its place, "1998-1999"; removing "\$9,900" at the end of the first sentence and adding, in its place, "\$10,222"; and by adding a new paragraph (b) to read as follows:

**§ 648.52 What is the amount of the institutional payment?**

\* \* \* \* \*

(b) The institutional allowance paid under paragraph (a) of this section is reduced by the amount the institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient's instructional program.

\* \* \* \* \*

[FR Doc. 99-6643 Filed 3-17-99; 8:45 am]

BILLING CODE 4000-01-U