

is \$344 per month for training pursued during the 1995-96 academic year,

* * * * *

(2) * * *

(i) VA shall determine the monthly rate of subsistence allowance payable to a person for a day during which he or she is pursuing a course of instruction full-time during the 1995-96 academic year by dividing \$688 per month by the number of the deceased veteran's dependents pursuing a course of instruction on that day:

(ii) VA shall determine the monthly rate of subsistence allowance payable to a person for a day during which he or she is pursuing a course of instruction on other than a full-time basis during the 1995-96 academic year by dividing \$344 per month by the number of the deceased veteran's dependents pursuing a course of instruction on that day;

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AH39

Veterans Education: Course Measurement for Graduate Courses

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document adopts as a final rule amendments to the "Administration of educational benefits" regulations which provide that all undergraduate courses taken by graduate students are to be measured by the graduate school (full time, half time, quarter time, etc.) or by the formula used for measuring undergraduate courses for undergraduate students, whichever results in a higher monthly rate for the veteran. Students receive benefits based on the assessment of their training time (full time, half time, quarter time, etc.). Graduate schools, often with unique programs, have the most expertise for assessing the training status for their own programs. Also, they realistically report the training status of graduate students. Even so, we do not believe that graduate students should be paid a lower monthly rate than undergraduate students for the same training. Hence, the adoption of this change streamlines the process while yielding equitable results.

EFFECTIVE DATE: June 6, 1996.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for

Policy and Program Administration, Education Service, Veterans Benefits Administration (202) 273-7187.

SUPPLEMENTARY INFORMATION: On February 12, 1996, the Department of Veterans Affairs (VA) published in the Federal Register (61 FR 5357) a proposed rule to provide a method of measuring a graduate student's enrollment when he or she enrolls in one or more graduate courses and one or more undergraduate courses. The public was given 60 days to submit comments. VA received two comments, one from an official of a large State university and one from the president of an association of officials who certify students' enrollments to VA. Both urged that the proposal be adopted.

Accordingly, based on the rationale set forth in the proposed rule document, we are adopting the provisions of the proposed rule as a final rule. This final rule also affirms the information in the proposed rule document concerning the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance numbers for the programs affected by this final rule are 64.117, 64.120, and 64.124.

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Defense Department, Education, Employment, Grant programs-education, Grant programs-veterans, Loan programs-education, Loan programs-veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: May 22, 1996.

Jesse Brown,
Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 21 is amended as set forth below.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart D—Administration of Educational Assistance Programs

1. The authority citation for part 21, subpart D continues to read as follows:

Authority: 10 U.S.C. ch. 1606; 38 U.S.C. 501(a), chs. 30, 32, 34, 35, 36, unless otherwise noted.

2. In § 21.4273, paragraph (a)(2) is amended by removing "assessed" and adding, in its place, "measured"; and paragraph (c) is revised and its authority citation is added to read as follows:

§ 21.4273 Collegiate graduate.

* * * * *

(c) *Undergraduate or combination.* If a graduate student is enrolled in both graduate and undergraduate courses concurrently, or solely in undergraduate courses, VA will measure such an enrollment using the provisions of § 21.4272 or the graduate school's assessment of training time, whichever will result in a higher monthly rate for the veteran.

(Authority: 38 U.S.C. 3668(b); Pub. L. 102-568)

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 15 and 32

[FRL-5513-1]

RIN 2030-AA38

Suspension, Debarment and Ineligibility for Contracts, Assistance, Loans and Benefits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule removes Part 15 ("Administration of the Clean Air Act and the Clean Water Act with Respect to Contracts, Grants, and Loans—List of Violating Facilities") from Title 40 of the Code of Federal Regulations. This rule also amends 40 CFR Part 32, Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drugfree Workplace (Grants), by adding procedures needed to administer the ineligibility provisions of the Clean Air Act (CAA), Clean Water Act (CWA), and EO 11738.

EFFECTIVE DATE: June 6, 1996.

FOR FURTHER INFORMATION CONTACT: Robert F. Meunier, EPA Suspending and Debarring Official, (3901F), 401 M Street, SW., Washington, DC 20460. Telephone: (202) 260-8030; or E-Mail to: meunier.robert@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

On September 11, 1995, EPA published a Notice of Proposed Rulemaking (See 60 FR 47135) proposing to eliminate regulations at 40 CFR Part 15 governing the listing, and removal from the list, of facilities rendered ineligible to participate in Federal grants, contracts and loans pursuant to Section 306 of the Clean Air