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Effective Date

(l) This amendment becomes effective on September 10, 2002.

Issued in Burlington, Massachusetts, on July 19, 2002.

Jay J. Pardee,  
Manager, Engine and Propeller Directorate,  
Aircraft Certification Service.

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BILLING CODE 4910-13-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 510

New Animal Drugs; Change of Sponsor's Address

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of sponsor's address for Endo Pharmaceuticals, Inc.

DATES: This rule is effective August 6, 2002.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Center for Veterinary Medicine (HFV-101), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0209, e-mail: lluther@cvm.fda.gov.

SUPPLEMENTARY INFORMATION: Endo Pharmaceuticals, Inc., 223 Wilmington West Chester Pike, Chadds Ford, PA 19317, has informed FDA of a change of sponsor address to 100 Painters Dr., Chadds Ford, PA 19317. Accordingly, the agency is amending the regulations in 21 CFR 510.600(c)(1) and (c)(2) to reflect the change of sponsor address.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to congressional review requirements in 5 U.S.C. 801-808.

List of Subjects in 21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 510 is amended as follows:

PART 510—NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 510 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

2. Section 510.600 is amended in the table in paragraph (c)(1) by revising the entry for "Endo Pharmaceuticals, Inc." and in the table in paragraph (c)(2) by revising the entry for "060951" to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

(c) \* \* \*  
(1) \* \* \*

Firm name and address					Drug labeler code
*	*	*	*	*	*
Endo Pharmaceuticals, Inc., 100 Painters Dr., Chadds Ford, PA 19317	.....	*	*	*	060951
*	*	*	*	*	*

(2) \* \* \*

Drug labeler code	Firm name and address				
*	*	*	*	*	*
060951	.....	*	*	*	*
*	*	*	*	*	*

Dated: July 19, 2002.  
Andrew J. Beaulieu,  
Acting Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.  
[FR Doc. 02-19767 Filed 8-5-02; 8:45 am]  
BILLING CODE 4160-01-S

DEPARTMENT OF STATE

22 CFR Part 196

[Public Notice 4077]

The Thomas R. Pickering Foreign Affairs/Graduate Foreign Affairs Fellowship Program and Grants to Post-Secondary Institutions

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: This document establishes the rule by which the Department of State's

Thomas R. Pickering Foreign Affairs/Graduate Foreign Affairs Fellowship program will be administered. The State Department Basic Authorities Act states that the Department shall establish regulations which will provide for a limit on the size of any specific grant and, regarding any grant to individuals, shall ensure no grant recipient receives grants from one or more Federal programs which in the aggregate would exceed the cost of his or her educational expenses and shall require satisfactory educational progress by grantees as a

condition of eligibility for continued participation in the program. This rule will facilitate the recruitment of a talented and diverse group of students into the Foreign Service.

**EFFECTIVE DATE:** October 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Richard Esper, Office of Recruitment/Student Programs at (202) 261-8924.

**SUPPLEMENTARY INFORMATION:** The Thomas R. Pickering Foreign Affairs/Graduate Foreign Affairs Fellowship Program was established to recruit a talented and diverse group of students into the Foreign Service. The State Department Basic Authorities Act (22 U.S.C. 2719) authorizes the Secretary of State to make grants to post-secondary education institutions or students for the purpose of increasing the level of knowledge and awareness of and interest in employment with the Foreign Service. The program provides scholarships to undergraduate and graduate students in academic programs relevant to international affairs, political and economic analysis, administration, management and science policy. While in school, Fellows participate in one domestic and one overseas internship within the U.S. Department of State. After completing their academic training, and successfully passing the Foreign Service entry requirements, Fellows will enter the U.S. Department of State Foreign Service as Foreign Service Officers. Consideration is given to all qualified applicants who, in addition to outstanding leadership skills and academic achievement, demonstrate financial need. The number of fellowships awarded is determined by available funding.

### Regulatory Findings

#### *Administrative Procedure Act*

The Department is publishing this rule as a final rule after it was published as a proposed rule on January 11, 2002 (67 FR 1420). No comments were received regarding the final rule.

#### *Regulatory Flexibility Act*

The Department of State, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities.

#### *Unfunded Mandates Act of 1995*

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$1 million or more in any year and it will not significantly or

uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### *Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign based companies in domestic and import markets.

#### *Executive Order 12866*

The Department of State does not consider this rule to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review. In addition, the Department is exempt from Executive Order 12866 except to the extent that it is promulgating regulations in conjunction with a domestic agency that are significant regulatory actions. The Department has nevertheless reviewed the regulation to ensure its consistency with the regulatory philosophy and principles set forth in that Executive Order.

#### *Executive Order 13132*

This regulation will not have substantial direct effects 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 section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement.

#### *Paperwork Reduction Act*

The reporting or recordkeeping action required from the public under the rule requires the approval of the Office of Management and Budget under the Paperwork Reduction Act. A Fellowship application form was forwarded to OMB as required. The Pickering Fellowship application form number is: DS-3091 and the number of the collection is: OMB #1405-0143.

### List of Subjects in 22 CFR Part 196

Education, Educational study programs, Grant programs—education,

Grant programs—foreign affairs, Reporting and recordkeeping requirements, Scholarships and fellowships, Students.

For the reasons discussed in the preamble, the U.S. Department of State amends 22 CFR chapter I by adding part 196 to read as follows:

### **PART 196—THOMAS R. PICKERING FOREIGN AFFAIRS/GRADUATE FOREIGN AFFAIRS FELLOWSHIP PROGRAM**

Sec.

196.1 What is the Fellowship Program?

196.2 How is the Fellowship Program administered?

196.3 Grants to post-secondary education institutions.

196.4 Administering Office.

**Authority:** 22 U.S.C. 2719.

#### **§ 196.1 What is the Fellowship Program?**

The Thomas R. Pickering Foreign Affairs/Graduate Foreign Affairs Fellowship Program is designed to attract outstanding men and women at the undergraduate and graduate educational levels for the purpose of increasing the level of knowledge and awareness of and employment with the Foreign Service, consistent with 22 U.S.C. 3905. The Program develops a source of trained men and women, from academic disciplines representing the skill needs of the Department, who are dedicated to representing the United States' interests abroad.

#### **§ 196.2 How is the Fellowship Program administered?**

(a) *Eligibility.* Eligibility will be determined annually by the Department of State and publicized nationwide. Fellows must be United States citizens.

(b) *Provisions.* The grant awarded to each individual student shall not exceed \$250,000 for the total amount of time the student is in the program. Fellows are prohibited from receiving grants from one or more Federal programs, which in the aggregate would exceed the cost of his or her educational expenses. Continued eligibility for participation is contingent upon the Fellow's ability to meet the educational requirements set forth in paragraph (c) of this section.

(c) *Program requirements.* Eligibility for participation in the program is conditional upon successful completion of pre-employment processing specified by the Department of State, including background investigation, medical examination, and drug testing. As a condition of eligibility for continued receipt of grant funds, fellows are required to complete prescribed coursework and maintain a satisfactory

grade point average as determined by the Department of State. Fellows are also required to accept employment with the Department of State's Foreign Service upon successful completion of the program, and Foreign Service entry requirements. Fellows must continue employment for a period of one and one-half years for each year of education funded by the Department of State.

#### **§ 196.3 Grants to post-secondary education institutions.**

The Department of State may make a grant to a post-secondary education institution for the purpose of increasing the level of knowledge and awareness of and interest in employment with the Foreign Service, consistent with 22 U.S.C. 3905, not to exceed \$1,000,000, unless otherwise authorized by law.

#### **§ 196.4 Administering office.**

The Department of State's Bureau of Human Resources, Office of Recruitment is responsible for administering the Thomas R. Pickering Foreign Affairs/Graduate Foreign Affairs Fellowship Program and grants to post-secondary institutions and may be contacted for more detailed information.

Dated: July 17, 2002.

**Ruben Torres,**

*Executive Director, Bureau of Human Resources, Department of State.*

[FR Doc. 02-19449 Filed 8-5-02; 8:45 am]

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## **DEPARTMENT OF JUSTICE**

### **Bureau of Prisons**

#### **28 CFR Part 542**

**[BOP-1076-F]**

**RIN 1120-AA72**

#### **Administrative Remedy Program: Excluded Matters**

**AGENCY:** Bureau of Prisons, Justice.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Bureau of Prisons (Bureau) amends its regulations to allow staff to process under the Administrative Remedy Program any request or appeal related to an inmate's conditions of confinement. We intend this amendment to provide the inmate with maximum opportunity to seek review of any issue related to his/her confinement.

**DATES:** This rule is effective August 6, 2002.

**ADDRESSES:** Rules Unit, Office of General Counsel, Bureau of Prisons,

HOLC Room 754, 320 First Street, NW., Washington, DC 20534.

#### **FOR FURTHER INFORMATION CONTACT:**

Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone (202) 307-2105.

#### **SUPPLEMENTARY INFORMATION:**

We proposed this rule on June 27, 2000 (65 FR 39767). We received no comments on the proposed rule. In this document, we finalize the proposed rule.

#### **What Does This Final Rule Do?**

This final rule amends our regulations on the Administrative Remedy Program (28 CFR part 542, subpart B, published in the **Federal Register** on January 2, 1996, at 61 FR 88).

*Administrative Remedy Program.* The Bureau's Administrative Remedy Program allows inmates to seek review of issues relating to their confinement. Often, we may satisfy an inmate's grievance by explaining the relevant policy or practice. The Administrative Remedy Program also allows us to examine our policies and practices and make changes without judicial intervention.

*Our previous regulation.* Previously, § 542.12 specified matters excluded from consideration under the Administrative Remedy Program. Under paragraph (b) of this section, we did not accept requests or appeals for claims with other statutorily-mandated procedures (including tort claims [see 28 CFR 543, subpart C], Inmate Accident Compensation claims [28 CFR 301], and Freedom of Information Act or Privacy Act requests [28 CFR 513, subpart D]) for processing under the Administrative Remedy Program. We intended these exclusions to reflect the fact that there were other procedures for corrective action which would not be available under the Administrative Remedy Program.

*Our new final rule.* In this rule, we remove these exclusions. In accepting such requests or appeals under the Administrative Remedy Program, we will more quickly address the full range of corrective actions available, including any that may be peripheral to issues which have other statutorily-mandated administrative procedures in place.

For example, the Administrative Remedy Program ordinarily cannot provide monetary relief. An inmate's claim for monetary relief may, however, present the basis for non-monetary relief. Under the previous regulations, we did not ordinarily accept the inmate's claim in the Administrative Remedy Program, even though we could provide non-monetary relief on the claim.

Under this final rule, however, we will accept the inmate's claim for monetary relief in the Administrative Remedy Program. We will then provide non-monetary relief on the claim, if warranted, and refer the inmate to the appropriate statutorily-mandated procedure to resolve remaining issues.

Where the inmate's claim can only be addressed by another administrative procedure, we will simply respond by referring the inmate to the appropriate procedure. Bureau staff responding to the administrative remedy are not responsible for investigating such a claim.

Therefore, we delete § 542.12. Sections 542.10 and 542.16 already cover statements in § 542.12 of the regulation's intent and provisions for assistance to the inmate. We also moved the previous stipulation in § 542.12 that an inmate may not submit a Request or Appeal on behalf of another inmate to § 542.10.

We revise § 542.10 to allow inmates to file any claim under the Administrative Remedy Program, even those which have statutorily-mandated remedies. In our revision, we state that, if an inmate raises an issue in a request or appeal that cannot be resolved through the Administrative Remedy Program, we will refer the inmate to the appropriate statutorily-mandated procedures.

This rule does not require the inmate to file under the Administrative Remedy Program before filing under statutorily-mandated procedures for tort claims (see 28 CFR 543, subpart C), Inmate Accident Compensation claims (28 CFR 301), and Freedom of Information Act or Privacy Act requests (28 CFR 513, subpart D).

Of course, if an inmate has a claim that is solely governed by other statutorily-mandated administrative procedures, the inmate need not first file a claim under the Administrative Remedy Program.

#### **Executive Order 12866**

The Office of Management and Budget (OMB) determined that certain rules are part of a category of actions which are not "significant regulatory actions" under section 3(f) of Executive Order 12866. Because this rule falls within that category, OMB did not review it.

#### **Executive Order 13132**

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Under Executive Order 13132, this rule does not have