

determined by the Secretary for good cause shown.

**DATES:** This Final Rule is effective January 24, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jose Belardo, J.D., 301-443-0757.

**SUPPLEMENTARY INFORMATION:**

**Background**

Authorized by 42 U.S.C. 701(a)(3), the HTPC is a grant program funded and administered by the Health Resources and Services Administration's (HRSA) Maternal and Child Health Bureau (MCHB). Its purpose is to stimulate innovative community-based programs that employ prevention strategies to promote access to health care for children and their families nationwide by providing grant funds to implement a new or enhance an existing child health initiative. Currently, there are 58 HTPC funded projects. In fiscal year (FY) 2006, 49 projects are continuing grantees and 9 are newly funded.

Since the inception of this grant program in 1989, the HTPC has issued a programmatic requirement in its guidance that grant applicants must demonstrate the capability to meet cost participation goals by securing non-Federal matching funds and/or in-kind resources for the second through fifth years of the project. One of the key goals of this initiative is that funded programs are to be sustainable beyond the 5-year Federal funding period. In 1999, a formal evaluation of the HTPC *The Health Tomorrows Partnership for Children Program in Review: Analysis and Findings of a Descriptive Survey* was completed, and the authors concluded that the required match fosters long-term sustainability and leveraging of community resources. There was a 70 percent sustainability rate for those projects with activities that were sustained after the Federal funding period.

This Final Rule will formally introduce a cost participation component to the HTPC grant program, thus requiring its grantees to contribute non-Federal matching funds and/or in-kind resources in years 2 through 5 of the 5-year project period equal to two times the amount of the Federal Grant Award or such lesser amount determined by the Secretary for good cause shown. The non-Federal matching funds and/or in-kind resources must come from non-Federal funds, including, but not limited to, individuals, corporations, foundations in-kind resources, or State and local agencies. Documentation of matching funds would be required (i.e., specific sources, funding level, in-kind

contributions). Reimbursement for services provided to an individual under a State plan under Title XIX will not be deemed "non-Federal matching funds" for the purposes of this provision.

**Public Participation**

The public was invited to respond to Notice of Proposed Rulemaking (NPRM), which was published in the **Federal Register** on December 27, 2005 (70 FR 76435-76436). The NPRM provided for a 60-day comment period. We received no comments from the public.

**Economic and Regulatory Impact**

*Executive Order 12866—Regulatory Planning and Review*

HRSA has examined the economic implications of this Final Rule as required by Executive Order 12866. Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety and other advantages; distributive impacts; and equity). Executive Order 12866 classifies a rule as significant if it meets any one of a number of specified conditions, including: having an annual effect on the economy of \$100 million, adversely affecting a sector of the economy in a material way, adversely affecting competition, or adversely affecting jobs. A regulation is also considered a significant regulatory action if it raises novel legal or policy issues.

HRSA concludes that this Final Rule is a significant regulatory action under the Executive Order since it raises novel legal and policy issues under Section 3(f)(4). HRSA concludes, however, that this Final Rule does not meet the significance threshold of \$100 million effect on the economy in any one year under Section 3(f)(1).

**Impact of the New Rule**

Inclusion of this rule will greatly enhance grant recipients' ability to achieve the HTPC goal/performance measure of program sustainability beyond the 5-year Federal funding period.

**Paperwork Reduction Act of 1995**

The Final Rule does not impose any new data collection requirements.

**List of Subjects in 42 CFR Part 51a**

Grant programs—Handicapped, Health, Health care, Health professions, Maternal and Child Health.

Dated: July 5, 2006.

**Elizabeth M. Duke,**  
*Administrator, HRSA.*

Approved: October 23, 2006.

**Michael O. Leavitt,**  
*Secretary.*

**Editor's Note:** This document was received at the Office of the Federal Register on January 19, 2007.

■ For the reasons set forth in the preamble, HRSA amends 42 CFR part 51a as follows:

**PART 51a—PROJECT GRANTS FOR MATERNAL AND CHILD HEALTH**

■ 1. The authority citation for part 51a continues to read as follows:

**Authority:** 42 U.S.C. 1302; 42 U.S.C. 702(a), 702(b)(1)(A) and 706(a)(3).

■ 2. Amend § 51a.8 to add paragraph (c) to read as follows:

**§ 51a.8 What other conditions apply to these grants?**

\* \* \* \* \*

(c) Grant recipients of Healthy Tomorrows Partnership for Children Program, a Community Integrated Service System-funded initiative, must contribute non-Federal matching funds in years 2 through 5 of the project period equal to two times the amount of the Federal Grant Award or such lesser amount determined by the Secretary for good cause shown. Reimbursement for services provided to an individual under a State plan under Title XIX will not be deemed "non-Federal matching funds" for the purposes of this provision.

[FR Doc. 07-287 Filed 1-23-07; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 07-61; MB Docket No. 00-53; RM-10479, RM-10770]

**Radio Broadcasting Services; Eldorado, Fort Stockton, Mason and Mertzon, TX**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule, denial.

**SUMMARY:** This document denies a Petition for Reconsideration filed by Bryan A. King, successor to BK Radio, directed to the *Report and Order* in this proceeding. With this action, the proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Media Bureau (202) 418-2177.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the *Memorandum Opinion and Order* in MB Docket No. 00-53, adopted January 10, 2007, and released January 12, 2007. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will not send a copy of this *Memorandum Opinion and Order* pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the petition for reconsideration was dismissed.

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E7-1012 Filed 1-23-07; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 97

[WT Docket No. 04-140, WT Docket No. 05-235; FCC 06-178]

#### Amateur Service Rules

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission amends its Amateur Radio Service rules to remove the requirement that an individual must pass a Morse code telegraphy examination to qualify for a General Class or an Amateur Extra Class amateur radio service operator license. The Commission also revises the frequency segment of the 80 meter amateur service High Frequency (HF) band on which amateur stations are authorized to be automatically controlled when transmitting RTTY and data emission types, and it makes other conforming amendments to the amateur service rules.

**DATES:** Effective February 23, 2007.

**FOR FURTHER INFORMATION CONTACT:** William T. Cross, Wireless Telecommunications Bureau at (202) 418-0620, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order and Order on Reconsideration*, in WT Docket Nos. 04-140 and 05-235; FCC 06-178, adopted December 15, 2006 and released December 19, 2006. The complete text of this document is available for inspection and copying during normal business hours in the FCC's Reference Information Center, 445 12th Street, SW., Room CY-A257, Washington, DC. Alternative formats (Braille, large print, electronic files, audio format) are available for people with disabilities by sending an e-mail to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or calling the Consumer and Government Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). The Order also may be downloaded from the Commission's Web site at <http://www.fcc.gov/>.

1. In this *Report and Order and Order on Reconsideration* the Commission adopts changes to its part 97 rules to revise the examination requirements for obtaining a General Class or Amateur Extra Class amateur radio operator license, revises the operating privileges for Technician Class licensees to include the operating privileges that are authorized to Novice Class licensees, and authorizes automatically controlled digital stations to operate in the 3585-3600 kHz frequency segment. The overall effect of this action is to further the public interest by encouraging individuals who are interested in communications technology, or who are able to contribute to the advancement of the radio art, to become amateur radio operators; and eliminating a requirement that is now unnecessary and may discourage amateur service licensees from advancing their skills in the communications and technical phases of amateur radio. The changes adopted in this *Report and Order and Order on Reconsideration* were proposed in the *Notice of Proposed Rulemaking* at 70 FR 51705, August 31, 2005. Over 3800 comments on the proposed rule changes were received and changes to the proposed rules based on these comments are included in this *Report and Order and Order on Reconsideration*.

2. Specifically, the Commission (1) removes the five wpm telegraphy examination from the examination requirements for the General Class and Amateur Extra Class operator licenses; (2) revises the operating privileges for Technician Class licensees to include

the High Frequency operating privileges that are authorized to Novice Class and Technician Plus Class licensees; and (3) authorizes automatically controlled digital stations to transmit in the 3585-3600 kHz segment of the 80 m band. The effect of these revisions are to eliminate unnecessary requirements from the amateur service license examination system and to provide licensees with greater flexibility in the utilization of amateur service frequencies.

#### I. Procedural Matters

##### A. Paperwork Reduction Act Analysis

3. This document does not contain any new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. Therefore, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

##### B. Report to Congress

4. The Commission will send a copy of the *Report and Order and Order on Reconsideration*, including this Final Regulatory Flexibility Certification, in a report to be sent to Congress and the Congressional Budget Office pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the *Report and Order and Order on Reconsideration*, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the SBA and the Final Regulatory Flexibility Certification will also be published in the **Federal Register**.

##### C. Final Regulatory Flexibility Certification

5. In this *Report and Order and Order on Reconsideration*, we amend the rules that specify how an individual who has qualified for an amateur service operator license can use an amateur radio station consistent with the basis and furthering the purpose of the amateur service. The amended rules apply exclusively to individuals who are licensees in the amateur radio service. Given the definition of a "small entity," none of these individuals are small entities as the term is used in the RFA. Therefore, we certify that the rules reflected in this *Report and Order and Order on Reconsideration* will not have a significant economic impact on a substantial number of small entities.