#### **DEPARTMENT OF AGRICULTURE**

Cooperative State Research, Education, and Extension Service

#### 7 CFR Parts 3200, 3411

National Competitive Research Initiative Grants Program (Also Known as the National Research Initiative Competitive Grants Program); Administrative Provisions; Requirements for Agricultural Research Enhancement Awards

**AGENCY:** Cooperative State Research, Education, and Extension Service, USDA.

**ACTION:** Final rule; amendment.

SUMMARY: This final rule amends the Cooperative State Research, Education, and Extension Service (CSREES) regulations relating to the administration of the National Research Initiative Grants Competitive Program (NRICGP) (referred to in 7 CFR Part 3200 as the National Competitive Research Initiative Grants Program) that prescribe the procedures to be followed annually in the solicitation of competitive grant proposals, the evaluation of such proposals, and the award of competitive research grants under this program. This action amends those regulations to redesignate 7 CFR Part 3200 as Part 3411, to change the legal name of the program to the National Research Initiative Competitive Grants Program, to clarify certain aspects of the program, and to add eligibility requirements for the Agricultural Research Enhancement

**EFFECTIVE DATE:** November 27, 1995. **FOR FURTHER INFORMATION CONTACT:** Sally Rockey, Acting Deputy Administrator, CSREES, USDA, AG Box 2240, Washington, D.C. 20250–2240. Telephone: (202) 401–1761.

## SUPPLEMENTARY INFORMATION:

# Paperwork Reduction

Information collection for this rule has previously been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520), and assigned OMB control numbers 0524–0022 and 0524–0033. This amendment does not change this information collection burden.

#### Classification

This rule has been reviewed under Executive Order 12866 and it has been determined that it is not a "significant regulatory action" rule because it will not have an annual effect on the

economy of \$100 million or more or adversely and materially affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rule will not create any serious inconsistencies or otherwise interfere with any actions taken or planned by another agency. It will not materially alter the budgetary impact of entitlements, grants, user fees or loan programs and does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or principles set forth in Executive Order No. 12866.

# Regulatory Flexibility Act

The Department certifies that this rule will not have a significant impact on a substantial number of small entities as defined in the Regulatory Flexibility Act, Pub. L. No. 96–534 (5 U.S.C. 601 *et seq.*).

# Executive Order 12778

The following information is given in compliance with Executive Order No. 12778. All State and local laws and regulations that are in conflict with this rule are preempted. No retroactive effect is to be given to this rule. This rule does not require administrative proceedings before parties may file suit in court.

# Regulatory Analysis

Not required for this rulemaking.

#### **Environmental Impact Statement**

This regulation does not significantly affect the environment. Therefore, an environmental impact statement is not required under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.).

### Catalog of Federal Domestic Assistance

The NRICGP is listed in the Catalog of Federal Domestic Assistance under No. 10.206. For reasons set forth in the Final Rule-related Notice to 7 CFR Part 3015, Subpart V (48 FR 29115, June 24, 1983), this program is excluded from the scope of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

# **Background and Purposes**

Under the authority of section 2(b) of the Act of August 4, 1965, Pub. L. No. 89–106, as amended (7 U.S.C. 450i(b)) (the Act), the Secretary of Agriculture is authorized to make competitive grants to State Agricultural Experiment Stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals to further the programs of the Department of Agriculture and to improve research capabilities in agricultural, food, and environmental sciences. Section 2(b) of the Act also authorizes the Secretary of Agriculture to make a variety of competitive grants to improve research capabilities in the agricultural, food, and environmental sciences.

The NRICGP was created pursuant to this authority. Pursuant to 7 CFR 2.107(a)(7), the Secretary delegated this authority to the Administrator of the Cooperative State Research Service. The Secretary of Agriculture's memorandum 1010–1 of October 20, 1994, implementing the reorganization authorities contained in the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994, P.L. 103–354, redelegated this authority to the Administrator of the CSREES.

This rule moves this part from 7 CFR Chapter XXXII to 7 CFR Chapter XXXIV, changes the name of the program, adds additional definitions for "fundamental research," "mission-linked research," and "multidisciplinary research" to the NRICGP administrative provisions, and establishes eligibility requirements for the Agricultural Research Enhancement Awards program. Section 3411.3(d)(3)(ii)(C) has been changed from the proposed rule so that appointments to degree-granting institutions do not have to be full-time.

#### **Discussion of Comments**

#### Section 3411.2 Definitions

One respondent suggested including the following: "All proposed research should support the mission of generating new knowledge relevant to the agricultural, food, and natural resources sector of the economy." CSREES agrees with the proposed statement, but notes that this idea is conveyed in § 3200.1 and therefore that an additional statement is unnecessary.

## List of subjects in 7 CFR Part 3411

Grant Programs—Agriculture, Grants administration.

For the reasons set forth in the preamble, CSREES amends 7 CFR Chapters XXXII and XXXIV as follows:

# PART 3200—[REDESIGNATED AS PART 3411]

- 1. Part 3200 is redesignated as Part 3411 and moved from Chapter XXXII to Chapter XXXIV
- 2. The authority citation for newly redesignated part 3411 is revised to read as follows: