

other than an Award for research training at the prebaccalaureate level shall upon completion of the Award engage for a period equal to the period of support (in excess of twelve months) in health research or teaching or, when in academic employment, any combination of research or teaching which is in accordance with the usual patterns of such employment.

(b) Except as provided in §66.111, an individual subject to the requirements for service in paragraph (a) of this section must begin to undertake the service on a continuous basis within two years after the termination of his or her Award.

(c) If the individual fails to undertake or perform the service in accordance with the requirements of paragraph (a) of this section, the United States shall be entitled to recover from the individual an amount determined in accordance with the formula:

$$A = 0 \frac{(t-s)}{(t)}$$

In which

A is the amount the United States is entitled to recover;

0 is the sum of the total amount paid under one or more Awards to the individual less the amount paid for the initial twelve months;

t is total number in months in the individual's service obligation;

and *s* is the number of months of the obligation served by him or her in accordance with paragraph (a) of this section.

(d) Except as provided in §66.111, the individual shall pay to the United States any amount which it is entitled to recover under paragraph (c) within a three-year period beginning on the date the United States becomes entitled to recover that amount. Interest shall accrue to the United States until any amount due it under paragraph (c) of this section is paid. The rate of interest will be fixed by the Secretary of the Treasury after taking into consideration private consumer rates of interest prevailing on the date the United States become entitled to recovery.

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§66.111 Suspension, waiver, and cancellation.

(a) The Secretary may extend the period for undertaking service prescribed in §66.110(d), permit breaks in service under §66.110(b), or extend the period of repayment under §66.110(d) if the Secretary determines that:

(1) An extension or break in service is necessary so the individual may complete his or her research training;

(2) Completion during the period would be impossible because the individual is temporarily disabled; or

(3) Completion during the period would involve a substantial hardship to the individual and failure to extend to the period would be against equity and good conscience.

(b) The Secretary may waive, in whole or in part, the obligation of the individual to repay pursuant to §66.110(c) if the Secretary determines that:

(1) Fulfillment would be impossible because the individual is permanently and totally disabled; or

(2) Fulfillment would involve a substantial hardship to the individual and enforcement of the obligation would be against equity and good conscience.

(c) In making determinations under §66.111 (a)(3) and (b)(2), the Secretary will take into consideration such factors as:

(1) The individual's present financial resources and obligations;

(2) The individual's estimated future financial resources and obligations;

(3) The reasons for the individual's failure to complete the requirements within the prescribed period, such as problems of a personal nature;

(4) The extent to which the individual has been engaged in activities encompassed by §66.110(a);

(5) Whether the individual has received sufficient training to be qualified to perform any such activities;

(6) The unavailability of employment opportunities appropriate to the individual's education and training; and

(7) Any other extenuating circumstances.

(d) Any obligations of any individual under this subpart will be cancelled upon the death of that individual.

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