

to the number of digits and sequence of characters used in the grant and cooperative agreement identification number. Lastly, when the provision at 1260.39, Buy American Encouragement, was added in July 2002, it unnecessarily included a duplicative reference to property standards; and it incorrectly changed the listing of provisions to be included in research grants, education grants, and cooperative agreements with U.S. educational institutions and nonprofit organizations in section 1260.20, Provisions. This final rule makes the necessary internal administrative changes for incremental funding and grant numbering; removes a duplicative reference in a provision; and corrects the list of applicable provisions.

### B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the changes primarily modify existing internal operational practices.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose any new recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

### List of Subjects in 14 CFR Part 1260

Grant Programs—Science and Technology.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 14 CFR part 1260 is amended as follows:

■ 1. The authority citation for 14 CFR part 1260 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1), Pub. L. 97–258, 96 Stat. 1003 (31 U.S.C. 6301, *et seq.*), and OMB Circular A–110.

### PART 1260—GRANTS AND COOPERATIVE AGREEMENT

■ 2. Amend section 1260.11 by revising paragraph (h) to read as follows:

#### § 1260.11 Evaluation and selection.

\* \* \* \* \*

(h) NASA reserves the right to either fully fund or incrementally fund grants based on fiscal law and program considerations. Incremental funding of grants and cooperative agreements shall conform to the following procedure:

(1) When the period of performance for a grant crosses Government Fiscal Years, the grant will usually be incrementally funded, using appropriations from different Government Fiscal Years. In other circumstances, incremental funding may be appropriate. The special condition at § 1260.53, Incremental Funding, will be included in any grant that is incrementally funded. The grant officer will determine the number of incremental funding actions that will be allowed.

(2) Specific limitations on incremental funding are as follows:

(i) Grants that are funded using appropriations from different Government Fiscal Years should provide funding from the prior fiscal year that carries at least one month into the subsequent fiscal year in order to facilitate transition of the grant to the subsequent fiscal year's funding cycle.

(ii) Only those grants whose anticipated funding exceeds \$100,000 of appropriations from a single Government Fiscal Year may be incrementally funded within that fiscal year's appropriations.

(iii) Incremental funding actions to obligate or deobligate funds shall not total less than \$25,000 unless the action is necessary to comply with the requirement to use appropriations from different Government Fiscal Years, to fully fund a grant, to close out a grant, or to make a corrective accounting adjustment.

(3) On an exception basis, and with the concurrence of the installation Chief Financial Officer (CFO) or Deputy CFO for Resources, the procurement officer may waive the restrictions set forth in paragraphs (h)(2)(i) through (h)(2)(iii) of this section for individual funding actions on individual grants. The procurement officer shall maintain a record of all such approvals during the fiscal year.

(4) The restrictions set forth in paragraphs (h)(2)(i) through (h)(2)(iii) of this section are not applicable during the period of a continuing resolution. During such a period, NASA will nonetheless endeavor to fund individual grants using reasonably sized increments.

\* \* \* \* \*

#### § 1260.15 [Amended]

■ 3. Section 1260.15 is amended as follows:

■ a. In the introductory text of paragraph (c), remove the words “prior to Integrated Financial Management Project (IFMP) implementation”;

■ b. In paragraph (c)(1), remove “NAG5” and add “NAG5-” in its place; and

■ c. Remove paragraph (d).

■ 4. Amend Section 1260.20 by revising paragraph (a); and in the first sentence of paragraph (d) remove “1260.39” and add “1260.38” in its place.

■ Revised paragraph (a) reads as follows:

#### § 1260.20 Provisions.

(a) Research grants, education grants, training grants, and cooperative agreements with U.S. educational institutions and nonprofit organizations shall incorporate by reference the provisions set forth in §§ 1260.21 through 1260.39. For training grants, the grant officer shall substitute § 1260.22, Technical Publications and Reports, with reporting requirements as specified by the program office.

\* \* \* \* \*

#### § 1260.39 [Amended]

■ 5. Amend section 1260.39 by revising the date of the provision to read “May 2003”; removing the paragraph designation paragraph “(a)”; and removing paragraph (b).

[FR Doc. 03–13161 Filed 5–23–03; 8:45 am]

BILLING CODE 7510–01–P

## TENNESSEE VALLEY AUTHORITY

### 18 CFR Part 1301

### Revision of Tennessee Valley Authority Freedom of Information Act Regulations

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Final rule.

**SUMMARY:** The Tennessee Valley Authority is amending its Freedom of Information Act (FOIA) regulations to reflect a change in the procedure for obtaining paper copies of documents located in TVA's electronic reading room.

**EFFECTIVE DATE:** May 27, 2003.

**FOR FURTHER INFORMATION CONTACT:** Denise Smith, FOIA Officer, Tennessee Valley Authority, 400 W. Summit Hill Drive (ET 5D), Knoxville, Tennessee 37902–1499, telephone number (865) 632–6945.

**SUPPLEMENTARY INFORMATION:** This rule was not published in proposed form since it relates to agency procedure and practice. Since this rule is nonsubstantive, it is being made effective May 27, 2003.

### List of Subjects in 18 CFR Part 1301

Freedom of Information, Government in the Sunshine, Privacy.

■ For the reasons stated in the preamble, TVA amends 18 CFR part 1301 as follows:

## PART 1301—PROCEDURES

■ 1. The authority citation for part 1301, subpart A, continues to read as follows:

**Authority:** 16 U.S.C. 831–831ee, 5 U.S.C. 552.

■ 2. Revise § 1301.2 to read as follows:

### § 1301.2 Public reading rooms.

TVA maintains a public electronic reading room through its Web site at <http://www.tva.gov>. This electronic reading room contains the records that the FOIA requires to be made regularly available for public inspection and copying. Paper copies of documents accessible through TVA's reading room are available upon request from the TVA Research Library at 400 W. Summit Hill Drive, Knoxville, Tennessee 37902–1499, and 1101 Market Street, Chattanooga, Tennessee 37402–2801. Each TVA organization is responsible for determining which of the records it generates are required to be made available in this way and for ensuring that those records are available in TVA's reading room. TVA's FOIA Officer will maintain a current subject-matter index of TVA's reading room records. The index is identified as the Reading Room Table of Contents on TVA's Web site and will be updated regularly, at least quarterly, with respect to newly included records.

Tracy S. Williams,

*Vice President, External Communications,  
Tennessee Valley Authority.*

[FR Doc. 03–13093 Filed 5–23–03; 8:45 am]

BILLING CODE 8120–08–M

## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Part 435

RIN 0960–AE25

#### Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, Other Non-Profit Organizations, and Commercial Organizations

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Final rules.

**SUMMARY:** These final rules establish new regulations providing standards in the administration of SSA grants and agreements with institutions of higher education, hospitals, other non-profit organizations, and commercial organizations.

The Social Security Independence and Program Improvements Act of 1994, enacted August 15, 1994, established SSA as an independent agency separate from the Department of Health and Human Services (HHS), effective March 31, 1995. To implement its own set of grants administration regulations, we are codifying almost verbatim the text of the Office of Management and Budget (OMB) Circular Number A–110, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations.”

These final rules codify in SSA regulations the requirements in OMB Circular A–110, and along with the final rules we are publishing elsewhere in today's **Federal Register**, establish SSA grants regulations, separate from the HHS regulations, effective upon publication.

**EFFECTIVE DATE:** These final rules are effective on May 27, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Phyllis Y. Smith, Chief Grants Management Officer, Office of Operations Contracts and Grants, Office of Acquisition and Grants, SSA, 1710 Gwynn Oak Ave., Baltimore, MD 21207–5279; telephone (410) 965–9518; fax (410) 966–9310.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

OMB Circular A–110 (Circular) provides standards for obtaining consistency and uniformity among Federal agencies in the administration of grants and agreements with institutions of higher education, hospitals, and other non-profit organizations. The Circular was originally issued in 1976 and, except for a minor revision in 1987, it remained unchanged until it was revised by OMB in 1993 (58 FR 62992). It was subsequently amended in 1997 (62 FR 45934) and 1999 (64 FR 54926).

In 1987, OMB convened an interagency task force to update the Circular. The work of the task force resulted in the publication of a 1988 notice in the **Federal Register** (53 FR 44716) proposing that the Circular be merged with OMB Circular A–102, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments” as a consolidated “common rule.” The public response led to a decision by OMB to not finalize the proposal.

In November 1990, another interagency task force was established to revise the Circular and develop a set of common principles for the

administration of grants and agreements with institutions of higher education, hospitals and other non-profit organizations. The task force solicited suggestions for changes to the Circular from university groups, non-profit organizations and other interested parties and compared, for consistency, the provisions of similar provisions applied to State and local governments. As a result, in August 1992, OMB published a notice in the **Federal Register** (57 FR 39018) requesting comments on proposed revisions to the Circular. OMB received over 200 comments from Federal agencies, non-profit organizations, professional organizations and others. OMB considered all comments in developing the final revision to the Circular. The Circular issued in 1993 reflects the results of these efforts. The revised Circular was developed in a model rule format to facilitate regulatory adoption by affected Federal agencies. OMB's notice directed each affected agency to promulgate its own rules adopting the language as it appears in the Circular unless different provisions are required by Federal statute or are approved by OMB (58 FR 62992–93). The notice states that OMB will review agency regulations and implementation of the Circular and will provide interpretations of policy requirements and assistance to insure effective and efficient implementation. Any exceptions will be subject to approval by OMB and will only be made in particular cases where adequate justification is presented.

Except as provided therein, the standards set forth in the Circular are applicable to all Federal agencies. If any statute specifically prescribes policies or specific requirements that differ from the standards provided in the Circular, the provisions of the statute shall govern. Federal agencies must apply the provisions of the Circular in making awards to the covered entities. Recipients must apply the provisions of the Circular to subrecipients performing substantive work under grants and agreements that are passed through or awarded by the primary recipient, if such subrecipients are organizations that are covered entities. The Circular does not apply to grants, contracts, or other agreements between the Federal government and units of State or local governments covered by OMB Circular A–102, “Grants and Cooperative Agreements with State and Local Governments,” nor does it apply to the Federal agencies' grants management common rule that standardized and codified the administrative