

it is ineligible for this 8(a) award, or otherwise receives instructions from the Contracting Officer, performance under this purchase order may begin on the third working day following receipt of the purchase order. If a determination of ineligibility is issued within the 2-day period, the purchase order shall be considered canceled.

(End of clause)

PART 253—FORMS

6. Section 253.204–70 is amended by revising paragraph (d)(5)(iv)(B)(2) to read as follows:

253.204–70 DD Form 350, Individual Contracting Action Report.

* * * * *

- (d) * * *
- (5) * * *
- (iv) * * *
- (B) * * *

(2) *Code B—Section 8(a)*. Enter code B if the contract was awarded to—

- (i) The Small Business Administration (SBA) under Section 8(a) of the Small Business Act (FAR subpart 19.8); or
- (ii) An 8(a) contractor under the direct award procedures at 219.811.

* * * * *

7. Section 253.204–71 is amended by revising paragraph (g)(2)(ii)(A) to read as follows:

253.204–71 DD Form 1057, Monthly Contracting Summary of Actions \$25,000 or Less.

* * * * *

- (g) * * *
- (2) * * *
- (ii) * * *

(A) Block E2a, Through SBA-Section 8(a). Enter actions with the Small Business Administration pursuant to Section 8(a) of the Small Business Act (FAR subpart 19.8) or under the 8(a) direct award procedures at 219.811.

* * * * *

[FR Doc. 98–16282 Filed 6–18–98; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1, Amdt. 1–293]

Organization and Delegation of Powers and Duties; Delegation to the Assistant Secretary for Budget and Programs

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Secretary of Transportation is delegating to the

Assistant Secretary for Budget and Programs the authority to make appropriate Congressional notification pursuant to The National Energy Conservation Policy Act, as amended (42 U.S.C. 8287 et seq.). The Act requires the agency head to provide Congressional notification for awards of Energy Savings Performance Contracts (ESPCs) with cancellation ceilings in excess of \$750,000. In order that the Code of Federal Regulations reflect the delegation to the Assistant Secretary for Budget and Programs regarding Congressional notification for ESPC awards, an addition to section 1.58 of Title 49 is necessary.

EFFECTIVE DATE: June 19, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Lesley Field, Office of Acquisition and Grant Management, Department of Transportation, (202) 366–4960, 400 Seventh Street SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Pursuant to The National Energy Conservation Policy Act, the head of the agency is required to provide Congressional notification for ESPCs with cancellation ceilings in excess of \$750,000 (42 U.S.C. 8287(a)(2)(D)). The Act authorizes federal agencies to enter into multiyear ESPCs for a period not to exceed 25 years, without funding of cancellation charges before cancellation, provided certain conditions are met. One of these conditions is that appropriate notice be given to Congress 30 days prior to award of a contract that contains a cancellation ceiling in excess of \$750,000.

Delegating the notification function to the Assistant Secretary for Budget and Programs will expedite the notification process. Since the notification in question is to the Appropriation Committees and Authorizing Committees, the Budget Office is well situated to implement the notification requirement as it handles contacts with these committees on many other Departmentwide budgetary issues.

This rule is being published as a final rule and is being made effective on the date of publication. It relates to departmental management, organization, procedure, and practice. For this reason, the Secretary finds good cause, under 5 U.S.C. 553(b) and (d)(3), that notice, and public procedure on the notice are unnecessary and that this rule should be made effective on the date of publication.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (government agencies).

In consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended to read as follows:

PART 1—[AMENDED]

1. The authority citation for Part 1 continues to read as follows:

Authority: 49 U.S.C. 322; Pub.L. 101–552, 28 U.S.C. 2672, 31 U.S.C. 3711(a)(2).

§ 1.58 [Amended]

2. Section 1.58 is amended by adding a new paragraph (h) to read as follows:

§ 1.58 Delegations to Assistant Secretary for Budget and Programs.

The Assistant Secretary for Budget and Programs is delegated authority to:

* * * * *

(h) Provide Congressional Notification for Energy Savings Performance Contracts (ESPCs) with cancellation ceilings in excess of \$750,000, pursuant to the National Energy Conservation Policy Act, as amended, 42 U.S.C. 8287 et seq.

Issued in Washington, DC this 15th day of June, 1998.

Rodney Slater,

Secretary of Transportation.

[FR Doc. 98–16281 Filed 6–18–98; 8:45 am]

BILLING CODE 4910–62–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1, Amdt. 1–294]

Organization and Delegation of the Powers and Duties Delegation to the Commandant, United States Coast Guard

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Secretary of Transportation delegates to the Commandant, United States Coast Guard, the authority contained in the National Defense Authorization Act for Fiscal Year 1998 to allow personnel to participate in management of certain non-Federal entities. Participation under this authority includes acting as an officer or voting board member. The term “Non-Federal entities” includes, but is not limited to, the following organizations: Coast Guard Mutual Assistance, the National Collegiate Athletics Association, the Coast Guard Academy Athletic Association, the Freedom Football Conference, the New England Women’s and Men’s Athletic Conference, the Pilgrim Conference, the

United States Olympic Committee, the New England Association of Schools and Colleges, the International Association of Management Education, the American Medical Association, the Aerospace Medical Association, the American Public Health Association, and the American Dental Association.

EFFECTIVE DATE: June 19, 1998.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Michael J. Lodge, Office of the General Law (G-LGL), (202) 267-6921, United States Coast Guard, 2100 Second Street, SW, Washington, DC 20593; or Ms. Gwynneth Radloff, Office of General Counsel, C-50, (202) 366-9305, Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Pub. L. 105-85 is the National Defense Authorization Act for Fiscal Year 1998 (Act). Section 593 of the Act amends Title 10 U.S. Code Chapters 53 and 81 by adding sections 1033 and 1589. These two new sections authorize and direct actions by the Secretary, on

behalf of the Coast Guard. This rule amends 49 CFR 1.46, by adding a new paragraph (ooo) to reflect the delegation of the Secretary's authority under the National Defense Authorization Act for Fiscal Year 1998 (10 U.S.C. Chapters 53 and 81).

This rule is published as a final rule and is effective on the date of publication. It relates to departmental management, organization, procedure, and practice. For this reason, The Secretary, for good cause, finds, under 5 U.S.C. 553(b) and 5 U.S.C. 553(d)(3), that notice, and the opportunity for public comment before the effective date of the rule are unnecessary and that the rule should be made effective in less than 30 days after publication in the **Federal Register**.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended to read as follows:

PART 1—[AMENDED]

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

Authority: 49 U.S.C. 322; Pub. L. 101-552, 28 U.S.C. 2672, 31 U.S.C. 3711(a)(2).

2. Section 1.46 is amended by adding the following paragraph (ooo) to read as follows:

§ 1.46 Delegations to Commandant of the Coast Guard.

* * * * *

(ooo) Carry out the functions and responsibilities and exercise the authorities vested in the Secretary by the National Defense Authorization Act for Fiscal Year 1998, Pub. L. 105-85, pertaining to authority for personnel to participate in management of certain non-Federal entities (10 U.S.C. Chapters 53 and 81).

Issued at Washington, DC this 11th day of June, 1998.

Rodney E. Slater,

Secretary of Transportation.

[FR Doc. 98-16380 Filed 6-18-98; 8:45 am]

BILLING CODE 4910-14-P