

Coastal Energy Impact Program

The CEIP was established in 1976 under then-section 308 of the Coastal Zone Management Act (CZMA), 16 U.S.C. 1456a, to provide coastal states and local governments in such states with Federal financial assistance to meet certain needs that result from specified energy development activities. In the 1990 amendments to the CZMA (Pub. L. 101-508), section 308 was amended by: (1) Terminating any future CEIP loans, although obligations of any coastal state or local government to repay loans made prior to the 1990 amendments remain in effect; and (2) establishing the Coastal Zone Management Fund as, *inter alia*, the repository for such CEIP loan repayments. As the CEIP has been terminated, the administrative regulations, Part 931, for this program are, for the most part, obsolete and need not be retained in the CFR. For the particular coastal states and local governments that have outstanding CEIP loans and therefore must repay the loans to the Coastal Zone Management Fund, NOAA will continue to apply the applicable provisions of Part 931. However, although such provisions shall continue to apply, it is not necessary to retain them in the CFR because, in part, such provisions have particular applicability to only those coastal states and local governments with outstanding CEIP loans. Accordingly, NOAA will provide copies of the relevant provisions of Part 931, with instructions that they continue to apply, directly to those particular coastal states and local governments that have outstanding CEIP loans. Therefore, the particular coastal states and local governments with outstanding CEIP loans will have, in addition to the constructive notice provided by this final rule, actual and timely notice of the continued application of the repayment provisions of Part 931, and such coastal states and local governments shall continue to comply with all the terms and conditions of such provisions of part 931. See 5 U.S.C. 552(a). Accordingly, NOAA is removing part 931, the CEIP regulations, from Title 15 of the CFR.

NOAA has determined that because this rule is a matter relating to loans, grants, benefits or contracts, it is not subject to the Administrative Procedure Act (APA) requirements of prior notice, opportunity for comment, or delayed effective date (5 U.S.C. 553). Accordingly, this rule is being made effective immediately upon publication.

Executive Order 12866

For purposes of Executive Order 12866, this final rule is determined to be not significant.

Regulatory Flexibility Act

Notice and comment for this rule are not required by the APA or any other law. Therefore, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act (Pub. L. 96-354).

Paperwork Reduction Act

This regulation contains no information collection requirements which are subject to review and approval by OMB under the Paperwork Reduction Act of 1980 (44 U.S.C. 3500 *et seq.*).

Authority: Coastal Zone Management Act of 1972, is amended, 16 U.S.C. 1451 *et seq.*

List of Subjects in 15 CFR Part 931

Coastal zone, Grant programs—natural resources, Natural resources, and Reporting and recordkeeping requirements.

Dated: June 28, 1995.

David Evans,

Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management.

Accordingly, for the reasons set forth in the preamble and under the authority of 16 U.S.C. 1451 *et seq.*, Chapter IX of Title 15 of the Code of Federal Regulations is amended as follows:

PART 931—[REMOVED]

1. Part 931 is removed.

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DEPARTMENT OF JUSTICE**Office of Justice Programs****28 CFR Part 70**

[OJP No. 1004; AG Order No. 1980-95]

RIN 1121-AA18

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

January 23, 1995.

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: On November 29, 1993, the Office of Management and Budget (OMB) published a revision of OMB

Circular A-110. The Circular is applicable to awards made by Federal agencies and subawards made by States to nongovernmental entities. This rule implements the OMB Circular A-110.

FOR FURTHER INFORMATION CONTACT:

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EFFECTIVE DATE: July 26, 1995.

SUPPLEMENTARY INFORMATION: This final rule amends 28 CFR by setting forth a new part 70 to enact the changes established by revised OMB Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Institutions," published by OMB on November 29, 1993 (58 FR 62992).

In November 1990, OMB established an interagency task force to revise Circular A-110. The task force developed a proposed revision of the Circular, which OMB published with a request for comments on August 27, 1992 (57 FR 39018). After considering the over 200 comments from a wide variety of Federal and non-Federal respondents, OMB published the final revised Circular in the **Federal Register** on November 29, 1993 (58 FR 62992).

OMB Circular A-110 sets forth government-wide standards governing Federal agency administration of grants and other agreements with institutions of higher education, hospitals and other non-profit organizations. Federal agencies must apply the provisions of the Circular in making awards to the covered entities; all primary recipients (including governments) of Federal awards must also apply the Circular's provisions to any subawards they make to such entities. Those provisions that affect Federal agencies were effective on December 29, 1993 (58 FR 62992-93). With respect to the Circular's application to recipients of Federal agency awards, OMB's notice directed each agency to promulgate its own rules adopting the provisions of the Circular (58 FR 62992-93).

Agency specific rules must follow the provisions of the Circular unless OMB has granted the agency an exception for classes of recipients of awards from a particular requirement of the Circular (58 FR 62992, 62995). The terms of the Circular, however, permit Federal awarding agencies to make exceptions on an award-by-award basis without prior OMB approval and to apply less restrictive requirements in the case of small awards. Where a conflict exists between a provision of the Circular and