

unless different thresholds have been established either in the HCA's delegation of contracting authority, or in a specific agency delegation from GSA under (FIRM) 41 CFR201-20.305-2, Specific Agency Delegations of Procurement Authority (DPA); or, in internal DOE guidance documents.

(b) The contracting officer is responsible for ensuring compliance with all terms, conditions, and limitations imposed on DOE under a specific acquisition Delegation of Procurement Authority (DPA).

(c) The contracting officer shall not award a contract, or a modification to an existing contract, when the value of the FIP resources portion of the award, including the value of any options, exceeds DOE's delegated FIP procurement authority redelegated to the HCA by the DSO. Where the anticipated award value of the FIP resources portion of the contract, or modification to the contract, exceeds DOE's delegated procurement authority, DOE shall obtain a revised delegation from GSA prior to award. Where the anticipated award value of the FIP resources portion of the contract, or modification to the contract, exceeds the HCA's redelegated procurement authority for that acquisition, the contracting officer shall have the redelegation revised, in accordance with internal DOE guidance documents, prior to award.

Subpart 939.2 through 939.5 [Reserved]

Subpart 939.6 Competition Requirements

939.602-270 Outdated FIP equipment.

Solicitations and contracts for, or using, outdated FIP equipment shall be submitted to the Office of Clearance and Support for review and approval. The Office of Information Management shall review these documents and make the decision whether to allow the acquisition or use of outdated FIP equipment.

Subparts 939.7 through 939.9 [Reserved]

Subpart 939.10 Specifications, Standards, and Other Purchase Descriptions

939.1003-70 Purchase of Energy Efficient Computers (Energy Star).

Executive Order 12845, "Purchase of Energy Efficient Computers by Federal Agencies," requires agencies to acquire microcomputers, including personal computers, monitors, and printers, that meet the "Energy Star" requirements established by the Environmental Protection Agency for energy efficiency. Solicitations for microcomputers and

peripheral equipment, issued after October 21, 1993, are required to include a requirement that equipment meet the "Energy Star" standard, unless an exemption has been provided by the Head of the Contracting Activity as authorized under section 1(a) of Executive Order 12845.

Subparts 939.11 through 939.43 [Reserved]

Subpart 939.44 Subcontracting Policies and Procedures

939.4470 Contractor acquisitions of FIP resources.

(a) *Management and operating (M&O) contracts.* Except as provided in paragraph (c) of this section, M&O contractors and their subcontractors shall not be used to acquire FIP resources unrelated to the mission of the M&O contract either for sole use by DOE employees or employees of other DOE contractors, or for use by other Federal agencies or their contractors.

(b) *Other than M&O contracts.* Where it has been determined that a contractor (other than an M&O contractor or its subcontractor) will acquire FIP resources either for sole use by DOE employees or for the furnishing of the FIP resources as government-furnished property under another contract, DOE will obtain any needed procurement authority from GSA prior to having the contractor acquire the FIP resources.

(c) *Consolidated contractor acquisitions.* When common FIP resource requirements in support of DOE programs have been identified and it is anticipated that the consolidation of such requirements will promote cost or other efficiencies, the Designated Senior Official for Information Management may authorize an M&O contractor to acquire FIP resources for use by the following:

- (1) One or more other contractor(s) performing on-site at the same DOE-owned or -leased facility as the M&O contractor, or
- (2) Other M&O contractors.

Subparts 939.45 through 939.53 [Reserved]

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INTERSTATE COMMERCE COMMISSION

49 CFR Part 1023

[Ex Parte No. MC-100 (Sub-No. 6)]

Single State Insurance Registration

AGENCY: Interstate Commerce Commission.

ACTION: Final rule; suspension of effectiveness.

SUMMARY: The Commission is suspending the effectiveness of its recent revisions to the receipt provisions of its Single State Insurance Registration regulations. The Commission is acting in response to a petition by state interests. The suspension will maintain the status quo while interested parties consider alternatives to the existing registration system.

EFFECTIVE DATES: Effective August 4, 1995, § 1023.5, as revised at 60 FR 30011, June 7, 1995, is suspended from August 4, 1995, until January 1, 1997. Section 1023.5 is reinstated effective August 4, 1995, through December 31, 1996.

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SUPPLEMENTARY INFORMATION: In a decision in *Single State Insurance Registration*, 9 I.C.C.2d 610 (1993), notice published at 58 FR 28932 on May 18, 1993, the Commission adopted final regulations that replaced a multi-state motor vehicle and operating authority registration system with a simplified, single-state, insurance-based registration system. The Commission acted pursuant to Congressional revisions to 49 U.S.C. 11506—Registration of Motor Carriers by a State. On judicial review, in *Nat'l Ass'n of Regulatory Util. Comm'rs v. ICC*, 41 F.3d 721 (D.C. Cir. 1994), the court found that the Commission had improperly balanced conflicting policy goals in adopting regulations giving motor carriers the authority to copy the registration receipts required by law to be kept in each motor vehicle. The court remanded the matter to the Commission for further consideration.

Upon consideration of the court's opinion and the comments filed by interested parties, the Commission adopted final rules revising the receipt provisions of the regulations in a decision served June 6, 1995, and notice published at 60 FR 30011 on June 7, 1995. Under the revised rules at 49 CFR 1023.5, states will issue official copies of registration receipts, and motor carriers will be required to maintain an official copy in each reported motor vehicle. Motor carrier copying of receipts will be prohibited. The new rules took effect July 7, 1995, in order to cover filings relating to the 1996 registration year.

By a petition filed July 11, 1995, the National Conference of State