

NATIONAL ENDOWMENT FOR THE ARTS**45 CFR Part 1157**

RIN 3135-AA31

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**ACTION:** Final rule.

SUMMARY: The National Endowment for the Arts (“NEA”) finalizes its portion of the uniform federal assistance rule published by the Office of Management and Budget.

DATES: This rule is effective on June 29, 2015.

FOR FURTHER INFORMATION CONTACT:

Aswathi Zachariah, Office of the General Counsel, National Endowment for the Arts, 400 7th Street SW., Washington, DC 20506, Telephone: 202-682-5418.

SUPPLEMENTARY INFORMATION: On December 12, 2014, the Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget published an interim final rule that provided comprehensive modifications to the principles and requirements for federal awards. 79 FR 75871. The uniform rules were published as 2 CFR part 200. As part of that rulemaking, the National Endowment for the Arts adopted part 200, along with an agency-specific addendum in a new part 3255.

The NEA received no relevant comments in response to the rule. Therefore, 2 CFR part 3255, as described in the interim final rule, is adopted with no changes.

Regulatory Findings

For the regulatory findings regarding this rulemaking, please refer to the analysis prepared by OIRA in the interim final rule, which is incorporated herein. 79 FR at 75876.

Dated: June 18, 2015.

Kathy N. Daum,

Director, Office of Administrative Services.

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DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration****49 CFR Part 384**

[Docket No. FMCSA 2015-0174]

RIN 2126-AB80

State Compliance With Commercial Driver's License Program: Correction

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule.

SUMMARY: FMCSA corrects its regulations implementing certain provisions of the Moving Ahead for Progress in the 21st Century Act (MAP-21). FMCSA determined that an error was made in the publication of the October 1, 2013, MAP-21 Implementation final rule. That rule inadvertently deleted paragraph (c) of § 384.209, Notification of traffic violations. This final rule is necessary to address the inadvertent error made to the state compliance regulations.

DATES: This final rule becomes effective on June 29, 2015.

FOR FURTHER INFORMATION CONTACT:

Robert Redmond, Commercial Driver's License Division, Office of Safety Programs, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, by telephone at (202) 366-5014 or via email at robert.redmond@dot.gov.

If you have questions on viewing material to the docket, contact Docket Services, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION:**Legal Basis**

Generally, agencies may promulgate final rules only after issuing a notice of proposed rulemaking (NPRM) and providing an opportunity for public comment under procedures required by the Administrative Procedure Act (APA), as provided in 5 U.S.C. 553(b) and (c). The APA, in 5 U.S.C. 553(b)(3)(B), provides an exception from these requirements when notice and public comment procedures are “impracticable, unnecessary, or contrary to the public interest.” FMCSA finds that notice and comment is unnecessary prior to adoption of this final rule because it is merely restoring an inadvertently removed, a statutorily-required regulation. Accordingly, the Agency is performing a nondiscretionary, ministerial act by publishing today's final rule. Therefore, the Agency may adopt this rule without notice and receiving public comment, in

accordance with the APA. For these same reasons, under the good cause authority found in 5 U.S.C. 553(d)(3), the rule will be effective upon publication.

Background

FMCSA determined that an error was made in the publication of the October 1, 2013, MAP-21 Implementation final rule. 78 FR 60226. That rule inadvertently deleted paragraph (c) of § 384.209, Notification of traffic violations. As explained in the 2013 final rule, FMCSA intended to amend paragraphs (a) and (b) of § 384.209. Paragraphs (a) and (b) previously required States to report a commercial driver's convictions to the driver's State of licensure. The 2013 amendments added the requirement that States report foreign commercial drivers' convictions to FMCSA's Federal Convictions and Withdrawal Database, in accordance with MAP-21 requirements. 78 FR 60227. In making that addition, FMCSA did not intend to remove paragraph (c), which is statutorily required and directed States to report the convictions within 10 days. See 49 U.S.C. 31311.

Accordingly, the 10-day reporting requirement remains in effect and paragraph (c) should not have been removed as a part of the MAP-21 Implementation rule. Today's final rule corrects that error by restoring the 10-day reporting requirement in paragraph (c). Prior to its inadvertent removal, paragraph (c) contained outdated references to the effective dates for the 10-day reporting requirement, which took place in 2005 and 2008. The Agency believes that this final rule provides an appropriate opportunity to remove those outdated references. Accordingly, today's final rule restores the inadvertently removed reporting requirement, but eliminates the obsolete effective dates.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Planning and Review and DOT Regulatory Policies and Procedures as Supplemented by E.O. 13563)

FMCSA has determined this final rule is not a significant regulatory action within the meaning of Executive Order (E.O.) 12866, as supplemented by E.O. 13563 (76 FR 3821, January 21, 2011), or within the meaning of Department of Transportation Regulatory Policies and Procedures.

As explained above, this final rule is strictly administrative in that it corrects the inadvertent removal of a nondiscretionary statutory requirement. Today's final rule will not exceed the