

(f) *Source*: The agency or account from which funds are contributed into the Fund.

§ 1518.3 Policy

(a) All studies and projects financed through the OEQ Management Fund shall be consistent with the purposes and goals of the National Environmental Policy Act and/or the Environmental Quality Improvement Act.

(b) Agency funds accepted by the Director for transfer into the OEQ Management Fund shall specify the purposes permissible under the source appropriation and any restrictions relating thereto.

(c) The Director may authorize expenditures to support OEQ Management Fund studies and projects, including:

- (1) Leasing office space and providing utilities;
- (2) Leasing or purchasing equipment;
- (3) Funding travel;
- (4) Contracting for goods and services; and
- (5) Funding consultants and personnel costs for task force employees.

(d) In carrying out the purposes of the OEQ Management Fund, the Director is authorized to contract with public or private agencies, institutions, organizations and individuals, by negotiation, without regard to 31 U.S.C. 3324(a) and (b) 41 U.S.C. 5, and 42 U.S.C. 4372(e). All such contracting activities shall be accomplished through the Office of Administration, Executive Office of the President. The Director may, by interagency agreement with another federal agency or agencies and with the concurrence of the Office of Administration's Financial Management Division, obtain specific administrative services (including contracting activities) in support of OEQ Management Fund studies or projects.

(e) Task forces and projects funded by the OEQ Management Fund are permitted to make expenditures for all project and study activities, except for compensation or benefits for full-time OEQ employees or to reimburse OEQ or CEQ for ordinarily appropriated expenses, such as salaries, benefits, rent, telephone and supplies.

§ 1518.4 Procedures.

(a) *Charters*: (1) A charter must be prepared for each project or study to be financed and supported by the OEQ Management Fund.

(2) The charter must clearly state the relation of the study or project to the goals and purposes of the Office of Environmental Quality and the National Environmental Policy Act; describe the

study or project; identify the participating agency or agencies; provide the names, titles and phone numbers of the Project Officer and administrative contact.

(3) Charters may be amended by preparing a formal amendment, which sets forth the new language to be incorporated in the existing charter.

(4) The Director shall approve all Management Fund charters and amendments in writing.

(5) Copies of each charter and charter amendment approved by the Director shall be provided to the Contracts Branch and the Financial Management Division of the Office of Administration, Executive Office of the President.

(b) *Finances and accounting*: (1) Annual budget estimates shall be prepared for the OEQ Management Fund.

(2) An operating budget for each project or study shall be submitted to the Financial Management Division of the Office of Administration, Executive Office of the President.

(3) All contributions from other agencies to the OEQ Management Fund for a joint study or project shall be accomplished by interagency agreements, which shall provide for full payment of funds on an advance basis. 42 U.S.C. 4375(a).

(4) All contributions by the Office of Environmental Quality or the Council on Environmental Quality to the OEQ Management Fund for a joint study or project shall be accomplished by a letter of transmittal which specifies the particular study or project to be funded. A copy of this transmittal letter shall be provided to the Financial Management Division of the Office of Administration, Executive Office of the President.

(5) The OEQ Management Fund is a no-year appropriations account, which can accept one-year or multiple-year funds, and is available until the objectives for which the authority was made available are attained. Funds transferred into the Management Fund are individually accounted for and expire under the terms of their appropriation.

(6) Any agency, including the Office of Environmental Quality and the Council on Environmental Quality, may provide technical expertise, physical resources, facilities, equipment, or other assets; perform support or administrative services; or assign detailees or agency representatives to an OEQ Management Fund project or study. These contributions may be in addition to funding.

(7) Subaccounts shall be established within OEQ Management Fund for each project or study. All expenditures for a

particular project or study must be matched with the source contribution and approved by the Director or the Project Officer.

(8) The Director may transfer Management Fund resources for any study or project to other federal accounts or other OEQ subaccounts provided that the transfer:

- (i) Is approved in writing by the source agency that provided the portion of the funds being transferred;
- (ii) Promotes the statutory mission of OEQ; and
- (iii) Is justified by the Director as being in the best interests of the government.

(9) Financial transactions shall be classified under each Management Funds subaccount in sufficient detail to satisfy management planning, control requirements and financial audit requirements.

(10) All fund expenditures must comport with the purposes of the Management Fund and follow CEQ approval procedures. Any fund expenditures pursuant to interagency agreement for the provision of administrative services shall comport with the CEQ approval procedures specified in the interagency agreement.

Dated: September 30, 2002.

James L. Connaughton,

Director, Office of Environmental Quality, and Chairman, Council on Environmental Quality.

[FR Doc. 02-25161 Filed 10-3-02; 8:45 am]

BILLING CODE 3125-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1804

RIN 2700-AC33

Contract Numbering

AGENCY: National Aeronautics and Space Administration.

ACTION: Final rule.

SUMMARY: This final rule revises the NASA FAR Supplement (NFS) by making administrative changes to the contract identification numbering scheme used by NASA. This change is necessary for implementation of NASA's Integrated Financial Management System.

EFFECTIVE DATE: October 4, 2002.

FOR FURTHER INFORMATION CONTACT: Celeste Dalton, NASA, Office of Procurement, Contract Management Division (Code HK); (202) 358-1645; e-mail: cdalton@hq.nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

NASA is in the process of implementing a new Agency-wide Integrated Financial Management System. This implementation requires a minor change to the number of digits and sequence of characters used in the contract identification number. This final rule makes these administrative changes to the contract numbering scheme used for NASA contracts.

B. Regulatory Flexibility Act

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Public Law 98-577, and publication for public comment is not required. However, NASA will consider comments from small entities concerning the affected NFS Part 1804 in accordance with 5 U.S.C. 610.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 1804

Government Procurement.

Tom Luedtke,

Assistant Administrator for Procurement.

Accordingly, 48 CFR Part 1804 is amended as follows:

1. The authority citation for 48 CFR Part 1804 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

PART 1804—ADMINISTRATIVE MATTERS

1804.7101 [Amended]

2. Amend section 1804.7101 in paragraph (b) by removing the number “11” and adding “10” in its place.

1804.7102 [Amended]

3. Amend section 1804.7102 by—
 a. In the table of paragraph (a) under the column CONTRACT PREFIX—
 (i) Removing “NAS 2” and adding “NAS2—” in its place;
 (ii) Removing “NAS 4” and adding “NAS4—” in its place;
 (iii) Removing “NAS 3” and adding “NAS3—” in its place;
 (iv) Removing “NAS 5” and adding “NAS5—” in its place;
 (v) Adding a hyphen immediately after “NASW”;
 (vi) Removing “NAS 9” and adding “NAS9—” in its place;
 (vii) Removing “NAS 1” and adding “NAS1—” in its place;
 (viii) Removing “NAS 8” and adding “NAS8—” in its place;

(ix) Removing “NAS 7” and adding “NAS7—” in its place; and

(x) Removing “NAS 13” and adding “NAS13” in its place;

b. In paragraph (c) removing “DEN 8” and adding “DEN8—” in its place; and

c. In paragraph (d) removing “NCA 8” and adding “NCA8—” in its place.

1804.7103 [Amended]

4. Amend section 1804.7103 in paragraph (a) by removing “NAS 2 97001 and NAS 2 97002” and adding “NAS2-97001 and NAS2-97002” in its place.

[FR Doc. 02-25183 Filed 10-3-02; 8:45 am]

BILLING CODE 7510-01-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 397

[Docket No. FMCSA-02-13376; Docket No. RSPA-02-12773 (HM-232B)]

RIN 2126-AA74; RIN 2137-AD69

Revision to Periodic Tire Check Requirement for Motor Carriers Transporting Hazardous Materials

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

ACTION: Final rule.

SUMMARY: The Federal Motor Carrier Safety Administration is eliminating an outdated requirement for certain motor vehicle operators to stop periodically to check their tires. Eliminating this requirement enhances the security of hazardous materials shipments.

DATES: The effective date of this final rule is November 4, 2002.

FOR FURTHER INFORMATION CONTACT: William Quade, (202) 366-6121, Office of Enforcement and Compliance (MC-ECH), Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:30 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

After the terrorist attacks of September 11, 2001, the Federal Motor Carrier Safety Administration (FMCSA) and the Research and Special Programs Administration (RSPA) reviewed government and industry hazardous materials transportation safety and security programs with a view towards identifying areas where security should

be enhanced. Over 800,000 shipments of hazardous materials occur each day in the United States. The overwhelming majority of these shipments—approximately 95 percent—are made by highway. Many of the hazardous materials transported by motor carriers potentially may be used as weapons of mass destruction or in the manufacture of such weapons. Since September 11, 2001, on several occasions, Federal law enforcement officials provided information indicating that terrorist organizations may be planning to use motor vehicles transporting certain hazardous materials for additional terrorist attacks on facilities in the United States.

Prior to 1975, the Secretary of Transportation regulated the transportation of hazardous materials by highway under the authority of the Motor Carrier Safety Act (MCSA). The authority to issue regulations under the MCSA is currently delegated to FMCSA. 49 CFR 1.73(g). In 1974, Congress passed the Hazardous Materials Transportation Act (HMTA). The HMTA gave the Secretary the authority to issue “regulations for the safe transportation in commerce of hazardous materials” applicable to “any person who transports, or causes to be transported or shipped, a hazardous material * * *.” Public Law 93-633; 88 Stat. 2156 (Jan. 3, 1975). The Secretary delegated this rulemaking authority to RSPA. 49 CFR 1.53(b).

Motor carriers that transport hazardous materials in interstate commerce must comply with both the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180), administered by RSPA, and the Federal Motor Carrier Safety Regulations (FMCSR; 49 CFR parts 390-397), administered by FMCSA. Motor carriers that transport hazardous materials in intrastate commerce must comply with the HMR, and the FMCSR to the extent that they apply (See 62 FR 1208, 1213 (January 8, 1997) and 49 CFR 177.804). As a result of a 1984 amendment to the MCSA and a 1990 amendment to the HMTA, RSPA is authorized to eliminate or amend regulations (other than highway routing regulations) that appear in part 397 of the FMCSR and that apply solely to the maintenance, equipment, loading, or operation of motor vehicles carrying hazardous materials. Therefore, we are issuing this final rule as a joint RSPA-FMCSA rulemaking.

Section 397.17 of the FMCSR requires periodic tire inspections for certain vehicles transporting hazardous materials. Drivers of vehicles with dual tires must stop every two hours or 100 miles to inspect the tires. When