

■ For the reasons stated in the preamble, TVA amends 18 CFR part 1301 as follows:

PART 1301—PROCEDURES

■ 1. The authority citation for part 1301, subpart A, continues to read as follows:

Authority: 16 U.S.C. 831–831ee, 5 U.S.C. 552.

■ 2. Revise § 1301.2 to read as follows:

§ 1301.2 Public reading rooms.

TVA maintains a public electronic reading room through its Web site at <http://www.tva.gov>. This electronic reading room contains the records that the FOIA requires to be made regularly available for public inspection and copying. Paper copies of documents accessible through TVA's reading room are available upon request from the TVA Research Library at 400 W. Summit Hill Drive, Knoxville, Tennessee 37902–1499, and 1101 Market Street, Chattanooga, Tennessee 37402–2801. Each TVA organization is responsible for determining which of the records it generates are required to be made available in this way and for ensuring that those records are available in TVA's reading room. TVA's FOIA Officer will maintain a current subject-matter index of TVA's reading room records. The index is identified as the Reading Room Table of Contents on TVA's Web site and will be updated regularly, at least quarterly, with respect to newly included records.

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SOCIAL SECURITY ADMINISTRATION

20 CFR Part 435

RIN 0960–AE25

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

AGENCY: Social Security Administration (SSA).

ACTION: Final rules.

SUMMARY: These final rules establish new regulations providing standards in the administration of SSA grants and agreements with institutions of higher education, hospitals, other non-profit organizations, and commercial organizations.

The Social Security Independence and Program Improvements Act of 1994, enacted August 15, 1994, established SSA as an independent agency separate from the Department of Health and Human Services (HHS), effective March 31, 1995. To implement its own set of grants administration regulations, we are codifying almost verbatim the text of the Office of Management and Budget (OMB) Circular Number A–110, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations.”

These final rules codify in SSA regulations the requirements in OMB Circular A–110, and along with the final rules we are publishing elsewhere in today's **Federal Register**, establish SSA grants regulations, separate from the HHS regulations, effective upon publication.

EFFECTIVE DATE: These final rules are effective on May 27, 2003.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

I. Background

OMB Circular A–110 (Circular) provides standards for obtaining consistency and uniformity among Federal agencies in the administration of grants and agreements with institutions of higher education, hospitals, and other non-profit organizations. The Circular was originally issued in 1976 and, except for a minor revision in 1987, it remained unchanged until it was revised by OMB in 1993 (58 FR 62992). It was subsequently amended in 1997 (62 FR 45934) and 1999 (64 FR 54926).

In 1987, OMB convened an interagency task force to update the Circular. The work of the task force resulted in the publication of a 1988 notice in the **Federal Register** (53 FR 44716) proposing that the Circular be merged with OMB Circular A–102, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments” as a consolidated “common rule.” The public response led to a decision by OMB to not finalize the proposal.

In November 1990, another interagency task force was established to revise the Circular and develop a set of common principles for the

administration of grants and agreements with institutions of higher education, hospitals and other non-profit organizations. The task force solicited suggestions for changes to the Circular from university groups, non-profit organizations and other interested parties and compared, for consistency, the provisions of similar provisions applied to State and local governments. As a result, in August 1992, OMB published a notice in the **Federal Register** (57 FR 39018) requesting comments on proposed revisions to the Circular. OMB received over 200 comments from Federal agencies, non-profit organizations, professional organizations and others. OMB considered all comments in developing the final revision to the Circular. The Circular issued in 1993 reflects the results of these efforts. The revised Circular was developed in a model rule format to facilitate regulatory adoption by affected Federal agencies. OMB's notice directed each affected agency to promulgate its own rules adopting the language as it appears in the Circular unless different provisions are required by Federal statute or are approved by OMB (58 FR 62992–93). The notice states that OMB will review agency regulations and implementation of the Circular and will provide interpretations of policy requirements and assistance to insure effective and efficient implementation. Any exceptions will be subject to approval by OMB and will only be made in particular cases where adequate justification is presented.

Except as provided therein, the standards set forth in the Circular are applicable to all Federal agencies. If any statute specifically prescribes policies or specific requirements that differ from the standards provided in the Circular, the provisions of the statute shall govern. Federal agencies must apply the provisions of the Circular in making awards to the covered entities. Recipients must apply the provisions of the Circular to subrecipients performing substantive work under grants and agreements that are passed through or awarded by the primary recipient, if such subrecipients are organizations that are covered entities. The Circular does not apply to grants, contracts, or other agreements between the Federal government and units of State or local governments covered by OMB Circular A–102, “Grants and Cooperative Agreements with State and Local Governments,” nor does it apply to the Federal agencies' grants management common rule that standardized and codified the administrative