

**EFFECTIVE DATE:** 0901 UTC, September 4, 2003.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

On February 26, 2002, the FAA published in the **Federal Register** a notice proposing to amend Title 14 Code of Federal Regulations (14 CFR) part 71 to revise J-10, between Farmington, NM, VORTAC, and the HIPPI intersection (67 FR 8743). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

**The Rule**

This action amends 14 CFR part 71 to revise J-10 between the Farmington, NM, VORTAC, and the HIPPI intersection. The current J-10 route is aligned from Farmington, NM, via the Drake, AZ, VORTAC, to the HIPPI intersection. This action realigns J-10 from Farmington, NM, to the Flagstaff VORTAC, to the HIPPI intersection. This change is part of the FAA's National Airspace Redesign effort and is intended to improve the management of aircraft operations in Arizona.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Jet routes are published in paragraph 2004, of FAA Order 7400.9J dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The jet route listed in this document would be published subsequently in the order.

**Environmental Review**

In accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act of 1969, this action is not categorically excluded.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p.389.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

*Paragraph 2004—Jet Routes*

**J-10 [Revised]**

From Los Angeles, CA; via INT Los Angeles 083° and Twentynine Palms, CA, 269° radials; Twentynine Palms; INT of Twentynine Palms 075° and Flagstaff 251°, radials; Flagstaff, AZ; Farmington, NM, Blue Mesa, CO; Falcon, CO; North Platte, NE; Wolbach, NE; Des Moines, IA; to Iowa City, IA.

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Issued in Washington, DC, on May 15, 2003.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 03-13153 Filed 5-23-03; 8:45 am]

**BILLING CODE 4910-13-P**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**14 CFR Part 1260**

**RIN 2700-AC53**

**NASA Grant and Cooperative Agreement Handbook—Incremental Funding**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the NASA Grant and Cooperative Agreement Handbook by revising the conditions and restrictions for use of incremental funding. The revisions in this area are necessary to increase flexibility while retaining appropriate controls over the number and size of incremental funding actions. The final rule also removes duplicative reference to property standards from the Buy American Encouragement provision; updates the grant and cooperative agreement identification numbering scheme used by NASA; and corrects a summary list of provisions. These changes will ensure the appropriate use of incremental funding of grants, eliminate an unnecessary cross-reference within a provision, and make other internal administrative and technical changes.

**EFFECTIVE DATE:** May 27, 2003.

**FOR FURTHER INFORMATION CONTACT:** Rita Svarcas, NASA Headquarters, Code HC, Washington, DC, (202) 358-0464, e-mail: [RSvarcas@hq.nasa.gov](mailto:RSvarcas@hq.nasa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

This change amends and clarifies the circumstances under which grants and cooperative agreements can be incrementally funded. A previous change in this area was intended to minimize the number of incremental funding actions issued under NASA grants and cooperative agreements in order to increase internal efficiency and decrease the associated workload for grantees. However, the unintended consequences of the change were that the NASA Centers were constrained from awarding and funding lower-dollar-value instruments, especially during the latter part of the Government Fiscal Year and during continuing resolution periods. This regulation has been identified, through a "Freedom to Manage" suggestion, as a barrier that gets in the way of NASA's efficiency and effectiveness. This final rule is intended to correct the situation by allowing the NASA Centers to incrementally fund grants and cooperative agreements more often, including those with a lower dollar value and those that require funding during continuing resolution periods. This final rule retains an adequate level of control over such actions by setting dollar thresholds and establishing local waiver authority for potential exceptions. Additionally, 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 grant and cooperative agreement identification number. Lastly, when the provision at 1260.39, Buy American Encouragement, was added in July 2002, it unnecessarily included a duplicative reference to property standards; and it incorrectly changed the listing of provisions to be included in research grants, education grants, and cooperative agreements with U.S. educational institutions and nonprofit organizations in section 1260.20, Provisions. This final rule makes the necessary internal administrative changes for incremental funding and grant numbering; removes a duplicative reference in a provision; and corrects the list of applicable provisions.

### B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the changes primarily modify existing internal operational practices.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose any new recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

### List of Subjects in 14 CFR Part 1260

Grant Programs—Science and Technology.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 14 CFR part 1260 is amended as follows:

■ 1. The authority citation for 14 CFR part 1260 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1), Pub. L. 97–258, 96 Stat. 1003 (31 U.S.C. 6301, *et seq.*), and OMB Circular A–110.

### PART 1260—GRANTS AND COOPERATIVE AGREEMENT

■ 2. Amend section 1260.11 by revising paragraph (h) to read as follows:

#### § 1260.11 Evaluation and selection.

\* \* \* \* \*

(h) NASA reserves the right to either fully fund or incrementally fund grants based on fiscal law and program considerations. Incremental funding of grants and cooperative agreements shall conform to the following procedure:

(1) When the period of performance for a grant crosses Government Fiscal Years, the grant will usually be incrementally funded, using appropriations from different Government Fiscal Years. In other circumstances, incremental funding may be appropriate. The special condition at § 1260.53, Incremental Funding, will be included in any grant that is incrementally funded. The grant officer will determine the number of incremental funding actions that will be allowed.

(2) Specific limitations on incremental funding are as follows:

(i) Grants that are funded using appropriations from different Government Fiscal Years should provide funding from the prior fiscal year that carries at least one month into the subsequent fiscal year in order to facilitate transition of the grant to the subsequent fiscal year's funding cycle.

(ii) Only those grants whose anticipated funding exceeds \$100,000 of appropriations from a single Government Fiscal Year may be incrementally funded within that fiscal year's appropriations.

(iii) Incremental funding actions to obligate or deobligate funds shall not total less than \$25,000 unless the action is necessary to comply with the requirement to use appropriations from different Government Fiscal Years, to fully fund a grant, to close out a grant, or to make a corrective accounting adjustment.

(3) On an exception basis, and with the concurrence of the installation Chief Financial Officer (CFO) or Deputy CFO for Resources, the procurement officer may waive the restrictions set forth in paragraphs (h)(2)(i) through (h)(2)(iii) of this section for individual funding actions on individual grants. The procurement officer shall maintain a record of all such approvals during the fiscal year.

(4) The restrictions set forth in paragraphs (h)(2)(i) through (h)(2)(iii) of this section are not applicable during the period of a continuing resolution. During such a period, NASA will nonetheless endeavor to fund individual grants using reasonably sized increments.

\* \* \* \* \*

#### § 1260.15 [Amended]

■ 3. Section 1260.15 is amended as follows:

■ a. In the introductory text of paragraph (c), remove the words “prior to Integrated Financial Management Project (IFMP) implementation”;

■ b. In paragraph (c)(1), remove “NAG5” and add “NAG5-” in its place; and

■ c. Remove paragraph (d).

■ 4. Amend Section 1260.20 by revising paragraph (a); and in the first sentence of paragraph (d) remove “1260.39” and add “1260.38” in its place.

■ Revised paragraph (a) reads as follows:

#### § 1260.20 Provisions.

(a) Research grants, education grants, training grants, and cooperative agreements with U.S. educational institutions and nonprofit organizations shall incorporate by reference the provisions set forth in §§ 1260.21 through 1260.39. For training grants, the grant officer shall substitute § 1260.22, Technical Publications and Reports, with reporting requirements as specified by the program office.

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#### § 1260.39 [Amended]

■ 5. Amend section 1260.39 by revising the date of the provision to read “May 2003”; removing the paragraph designation paragraph “(a)”; and removing paragraph (b).

[FR Doc. 03–13161 Filed 5–23–03; 8:45 am]

BILLING CODE 7510–01–P

## TENNESSEE VALLEY AUTHORITY

### 18 CFR Part 1301

### Revision of Tennessee Valley Authority Freedom of Information Act Regulations

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Final rule.

**SUMMARY:** The Tennessee Valley Authority is amending its Freedom of Information Act (FOIA) regulations to reflect a change in the procedure for obtaining paper copies of documents located in TVA's electronic reading room.

**EFFECTIVE DATE:** May 27, 2003.

**FOR FURTHER INFORMATION CONTACT:** Denise Smith, FOIA Officer, Tennessee Valley Authority, 400 W. Summit Hill Drive (ET 5D), Knoxville, Tennessee 37902–1499, telephone number (865) 632–6945.

**SUPPLEMENTARY INFORMATION:** This rule was not published in proposed form since it relates to agency procedure and practice. Since this rule is nonsubstantive, it is being made effective May 27, 2003.

### List of Subjects in 18 CFR Part 1301

Freedom of Information, Government in the Sunshine, Privacy.