DEPARTMENT OF LABOR

Office of the Secretary

29 CFR Parts 2, 11, 14, 16, 20, 22, 70, 71, 75, 90, 95, 96, 97, 98, 99

Department of Labor Regulatory Review and Update

AGENCY: Office of the Secretary, Department of Labor.

ACTION: Final rule; technical amendments.

SUMMARY: The Department of Labor (DOL) is amending existing regulations to update obsolete non-substantive or nomenclature references in the Code of Federal Regulations (CFR). This action is intended to improve the accuracy of the agency’s regulations and does not impose any new regulatory or technical requirements.

DATES: Effective Date: July 9, 2007.


SUPPLEMENTARY INFORMATION: DOL’s strategic outcome goal 4.2 measures the agency’s success in creating a regulatory structure that promotes compliance flexibility and reduces regulatory burden. As part of this strategic goal, DOL is conducting an ongoing review of its regulations governing labor, standards, pensions, health care, and worker safety to ensure that references in the CFR are accurate and current.

This final rule corrects or removes obsolete non-substantive or nomenclature references in the CFR. For example, this rule changes references to superseded laws, adds CFR citations for OMB Circulars, and updates cross-references to standards established under other authorities such as the simplified acquisition threshold cross-referenced in 29 CFR part 95 and Federal audit thresholds in 29 CFR parts 96 and 99.

Publication of this document constitutes final action on these changes under the Administrative Procedure Act (5 U.S.C. 553). Notice of Proposed Rulemaking is unnecessary since the agency is merely updating non-substantive and nomenclature references.

Executive Order 12866

This rule has been drafted and reviewed in accordance with Executive Order 12866, section 1(b), Principles of Regulations. The agency has determined that this rule is not a “significant regulatory action” under Executive Order 12866, section 3(f), Regulatory Planning and Review. Accordingly, there is no requirement for an assessment of potential costs and benefits under section 6(a)(3) of that order.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule under section 553(b) of the Administrative Procedure Act (APA), the requirements of the Regulatory Flexibility Act (5 U.S.C. 601) pertaining to regulatory flexibility do not apply to this rule. See 5 U.S.C. 601(2).

Paperwork Reduction Act

This final rule is not subject to section 350(h) of the Paperwork Reduction Act (44 U.S.C. 3501) since it does not contain any new collection of information requirements.

Publication in Final

The Department has determined that these amendments need not be published as a proposed rule, pursuant to 5 U.S.C. 553(b)(A), since these changes are interpretive, procedural in nature, or relate to agency organization. Because this final rule does not make substantive amendments, the Department of Labor has determined that delaying the effective date of the rule is unnecessary and good cause exists under 5 U.S.C. 553(b)(B) to make this rule effective immediately upon publication in the Federal Register.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not classified as a “rule” under Chapter 8 of the Small Business Regulatory Enforcement Fairness Act of 1996, because it is a rule pertaining to agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. See 5 U.S.C. 804(3)(C).

List of Subjects
29 CFR Part 2

Administrative practice and procedure, Construction industry, Government contracts, Minimum wages.

29 CFR Part 11

Environmental impact statements.

29 CFR Part 14

Classified information.

29 CFR Part 16

Claims, Equal access to justice, Lawyers, Reporting and recordkeeping requirements.

29 CFR Part 20

Claims, Income taxes, Reporting and recordkeeping requirements, Wages.

29 CFR Part 22

Administrative practice and procedure, Claims, Fraud, Penalties.

29 CFR Part 70

Freedom of information.

29 CFR Part 71

Privacy.

29 CFR Part 75

Business and industry, Grant programs-business, Loan programs-business.

29 CFR Part 90

Administrative practice and procedure, Grant programs-labor, Reporting and recordkeeping requirements.

29 CFR Part 95

Accounting, Colleges and universities, Grant programs, Hospitals, Nonprofit organizations, Reporting and recordkeeping requirements.

29 CFR Part 96

Accounting, Administrative practice and procedure, Colleges and universities, Grant programs, Hospitals, Indians, Intergovernmental relations, Loan programs, Nonprofit organizations, Reporting and recordkeeping requirements.
PART 14—SECURITY REGULATIONS

6. The authority citation for 29 CFR part 14 continues to read as follows:

Authority: E.O. 12356 of April 2, 1982 (47 FR 14874).

§ 14.3 [Amended]
7. In § 14.3, revise paragraph (a) to read as set forth below; and, in paragraph (b)(2), remove “1356” and add, in its place, “12356”.

§ 14.3 DOL Classification Review Committee.

(a) Composition of committee. The members of this Committee are: Chairperson—Deputy Assistant Secretary for Security and Emergency Management, OASAM. Member—Administrative Officer, Office of the Solicitor. Member—Director, Office of Foreign Relations, Bureau of International Labor Affairs. Advisor—DOL Document Security Officer.

§ 14.4 [Amended]
8. In § 14.4(a), remove the word “Under” and add, in its place, the word “Deputy”; and, in paragraph (i), remove the words “General Services Administration” and add, in their place, the words “National Archives and Records Administration”.

PART 20—FEDERAL CLAIMS COLLECTION

14. The authority citation for 29 CFR part 20 continues to read as follows:

Authority: 31 U.S.C. 3711 et seq.; Subpart D is also issued under 5 U.S.C. 5514; Subpart E is also issued under 31 U.S.C. 3720A.

§§ 20.75, 20.76 [Amended]
15. Remove the words “General Accounting Office” and add, in their place, the words “Government Accountability Office” in the following places:

a. Section 20.75(c) in two places; and

b. Section 20.76(g).

PART 22—PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986

16. The authority citation for 29 CFR part 22 continues to read as follows:


17. Revise § 22.2(l) and (q)(3) to read as follows:

§ 22.2 Definitions.

(1) Investigating official means the Inspector General of the Department of Labor or an officer or employee of the Office of the Inspector General designated by the Inspector General and serving in a Senior Executive Service position.

PART 70—PRODUCTION OR DISCLOSURE OF INFORMATION OR MATERIALS

18. The authority citation for 29 CFR part 70 continues to read as follows:


Appendix A to Part 70—[Amended]
19. Amend Appendix A to Part 70 as follows:

a. In paragraph (b)(1), remove the words “Director, Office of Participant Assistance & Communications, Employee Benefits Security Administration (EBSA)” and add, in
their place, the words “Director, Office of Participant Assistance, Employee Benefits Security Administration (EBSA)”;
and, revise the entry “Employment and Training Administration” and the accompanying list numbered 1–25 as set forth below:

- **b.** In paragraph (b)(2) to Appendix A, for the Employee Benefits Security Administration Regional Director or District Supervisor revise entries 2, 10, and 13 as set forth below.
- **c.** In paragraph (b)(2) to Appendix A, amend the entry for the Regional Administrators, Veterans’ Employment and Training Service (VETS) by removing Regions 1 through X and adding in their place entries 1 through 6 as set forth below.

<table>
<thead>
<tr>
<th>Agency Name</th>
<th>Address</th>
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<tbody>
<tr>
<td>Employment and Training Administration</td>
<td>1. Assistant Secretary for Employment and Training, ETA.</td>
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<td>2. Deputy Assistant Secretary, Workforce Investment System, ETA.</td>
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<td>3. Administrator, Office of Workforce Investment, ETA.</td>
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<td>4. Administrator, Office of Workforce Security, ETA.</td>
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<td>5. Administrator, Office of National Response, ETA.</td>
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<td>6. Director, Division of Trade Adjustment Assistance, ETA.</td>
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<td>7. Administrator, Office of Field Operations, ETA.</td>
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<td>8. Regional Administrator, Boston, ETA.</td>
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<td>9. Regional Administrator, Philadelphia, ETA.</td>
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<td>10. Regional Administrator, Atlanta, ETA.</td>
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<td>12. Regional Administrator, Chicago, ETA.</td>
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<td>13. Regional Administrator, San Francisco, ETA.</td>
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<td>14. Deputy Assistant Secretary, Administration &amp; National Activity, ETA.</td>
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<td>15. Administrator, Office of Foreign Labor Certification, ETA.</td>
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<td>16. Administrator, Office of Apprenticeship, ETA.</td>
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<td>17. Regional Director, Office of Apprenticeship, Boston, ETA.</td>
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<td>18. Regional Director, Office of Apprenticeship, Philadelphia, ETA.</td>
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<td>19. Regional Director, Office of Apprenticeship, Atlanta, ETA.</td>
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<td>21. Regional Director, Office of Apprenticeship, Chicago, ETA.</td>
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<td>22. Regional Director, Office of Apprenticeship, San Francisco, ETA.</td>
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<td>23. Administrator, Office of Policy Development &amp; Research, ETA.</td>
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<td>25. Director, Office of Financial and Administrative Services, ETA.</td>
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<td>26. Director, Office of Grants and Contracts Management, ETA.</td>
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<td>27. Chief, Division of Contract Services, ETA.</td>
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<td>28. Chief, Division of Federal Assistance, ETA.</td>
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<td>29. Director, Office of Human Resources, ETA.</td>
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<td>30. Director, Office of Equal Employment Opportunity, ETA.</td>
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<td></td>
<td>31. Director, Office of Special Programs &amp; Emergency Preparedness, ETA; and</td>
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<td>32. Administrator, Office of Performance &amp; Technology, ETA.</td>
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**Employee Benefits Security Administration Regional Director or District Supervisor**

- 2. Regional Director, 33 Whitehall Street, Suite 1200, New York, NY 10004.
- 10. Regional Director, Two Pershing Square Building, 2300 Main Street, Suite 1100, Kansas City, MO 64108.
- 13. Regional Director, 90 7th Street, Suite 11–300, San Francisco, CA 94103.

**Regional Administrators, Veterans’ Employment and Training Service (VETS)**

- 3. Atlanta Federal Center, 61 Forsyth Street, SW., Room 6T85, Atlanta, Georgia 30303.
- 5. 525 Griffin Street, Room 858, Dallas, Texas 75202.
- 6. 90 Seventh Street, Suite 2–600, San Francisco, California 94103.

**PART 71—PROTECTION OF INDIVIDUAL PRIVACY AND ACCESS TO RECORDS UNDER THE PRIVACY ACT OF 1974**

- **20.** The authority citation for 29 CFR part 71 continues to read as follows:

  **Authority:** 5 U.S.C. 301; 5 U.S.C. 552a as amended; Reorganization Plan No. 6 of 1950, 5 U.S.C. Appendix.

**§71.51 [Amended]**

- **21.** In §71.51(a)(5), remove the words “Directorate of Civil Rights” and add, in their place, the words “Civil Rights Center”;
  and in paragraph (a)(34) remove the words “Division of Civil Rights” and add, in their place, the words “Division of Civil Rights and Labor Management”.
- **22.** Revise Appendix A to Part 71 to read as follows:

**Appendix A to Part 71—Responsible Officials**

(a)(1) The titles of the responsible officials of the various independent agencies in the Department of Labor are listed below. This list is provided for information and to assist requesters in locating the office most likely to have responsive records. The officials may be changed by appropriate designation. Unless otherwise specified, the mailing addresses of the officials shall be: U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210–0002. When addressing communications to an office or division within a Department of Labor agency, include the agency and sub-agency name.

**Administrative Review Board (ARB)**
Chairperson
Office of the Assistant Secretary for Policy (OASP)
Assistant Secretary for Policy
Deputy Assistant Secretary

**Bureau of Labor Statistics (BLS)**
Commissioner
Associate Commissioner, Office of Administration
The mailing address for responsible officials in the Bureau of Labor Statistics is: Rm. 4040—Postal Square Bldg., 2 Massachusetts Ave., NE., Washington, DC 20212–0001.

**Benefits Review Board (BBR)**
Chief Administrative Appeals Judge

**Employee Benefits Security Administration (EBSA)**
Director, Office of Participant Assistance

**Employees’ Compensation Appeals Board (ECAB)**
Chairperson

**Employment Standards Administration (ESA)**
Assistant Secretary for Employment Standards
Director, Equal Employment Opportunity Unit

**Office of Management, Administration and Planning**
Director, Office of Management, Administration and Planning

**Office of Workers’ Compensation Programs**
Director, Office of Workers’ Compensation Programs
Deputy Director, Office of Workers’ Compensation Programs
Special Assistant to the Director
Director for Division of Planning, Policy, and Standards
Director for Federal Employees’ Compensation
Director for Longshore and Harbor Workers’ Compensation
Director for Coal Mine Workers’ Compensation
Director for Energy Employees Occupational Illness Compensation
Chief, Division of Contract Services
Director, Office of Human Resources
Director, Office of Equal Employment Opportunity
Director, Office of Special Program & Emergency Preparedness
Administrator, Office of Performance & Technology
Bureau of International Labor Affairs (ILAB)
Deputy Undersecretary, Office of the Deputy Undersecretary
Office of Job Corps (OJC)
National Director
Regional Director, Boston
Regional Director, Philadelphia
Regional Director, Atlanta
Regional Director, Chicago
Regional Director, Dallas
Regional Director, San Francisco
Mine Safety and Health Administration (MSHA)
Director of Office of Standards, Regulations, and Standards
The mailing address for the responsible official in the Mine Safety and Health Administration is: 1100 Wilson Boulevard, Arlington, Virginia 22209.
Office of the Administrative Law Judges (OALJ)
Chief Administrative Law Judge
Legal Counsel
Office of Adjudicatory Services (OAS)
Executive Director
Office of the Assistant Secretary for Administration and Management (OASAM)
Deputy Assistant Secretary for Operations
Deputy Assistant Secretary for Budget and Performance Planning
Deputy Assistant Secretary for Security and Emergency Management
Director, Business Operations Center
Director, Civil Rights Center
Director, Human Resources Center
Director, Information Technology Center
Director, Departmental Budget Center
Director, Center for Program Planning and Results
Office of the Chief Financial Officer (OCFO)
Chief Financial Officer
Associate Deputy Secretary for Adjudication
Office of Congressional and Intergovernmental Affairs (OCIA)
Assistant Secretary
Deputy Assistant Secretary
Office of Disability Employment Policy (ODEP)
Assistant Secretary
Deputy Assistant Secretary
Director, Policy and Research
Director, Operations
Office of the Inspector General (OIG)
Disclosure Officer
Office of Public Affairs (OPA)
Assistant Secretary
Deputy Assistant Secretary
Office of the Secretary of Labor (OSEC)
Secretary of Labor, Attention: Assistant Secretary for Administration and Management
Office of Small Business Programs (OSBP)
Director
Office of the Solicitor of Labor (SOL)
Deputy Solicitor
Occupational Safety and Health Administration (OSHA)
Assistant Secretary
Deputy Assistant Secretary (2)
Director, Office of Communications
Director, Office of Equal Employment Opportunity
Director, Directorate of Administrative Programs
Director, Directorate of Construction
Director, Directorate of Cooperative and State Programs
Director, Directorate of Enforcement Programs
Director, Directorate of Evaluation and Analysis
Director, Directorate of Information Technology
Director, Directorate of Science, Technology and Medicine
Director, Directorate of Standards and Guidance
Director, Directorate of Training and Education
The mailing address for OSHA’s Directorate of Training and Education is 2020 South Arlington Heights Road, Arlington Heights, Illinois 60005–4102.
Regional Administrator, Boston
Regional Administrator, New York
Regional Administrator, Philadelphia
Regional Administrator, Atlanta
Regional Administrator, Chicago
Regional Administrator, San Francisco
Regional Administrator, Seattle
Regional Administrator, San Francisco
Regional Administrator, Dallas
Regional Administrator, Kansas City
Regional Administrator, Denver
Regional Administrator, San Francisco
Regional Administrator, San Francisco
Veterans’ Employment and Training Service (VETS)
Assistant Secretary
Deputy Assistant Secretary
Director, Office of Agency, Management and Budget
Women’s Bureau
Director
National Office Coordinator
(2) The titles of the responsible officials in the regional offices of the various independent agencies are listed below. Unless otherwise specified, the mailing address for these officials by region, shall be:
Region 1
U.S. Department of Labor, John F. Kennedy Federal Building, Boston, Massachusetts 02203
Regional Administrator—1999 Broadway, Suite 1690, Denver, Colorado 80202

Area Director

7935 East Prentice Avenue, Suite 209, Greenwood Village, Colorado 80011–2714
1391 Speer Boulevard, Suite 210, Denver, Colorado 80204–2552
2900 Fourth Avenue North, Suite 303, Billings, Montana 59101
1640 East Capitol Avenue, Bismarck, North Dakota 58501
Regional Administrator—90 7th Street, Suite 18–100, San Francisco, California 94103
Regional Administrator—1113 Third Avenue, Suite 715, Seattle, Washington 98101–3212
Area Director

222 W. 7th Avenue, Box 22, Anchorage, Alaska 99513
1150 North Curtis Road, Suite 201, Boise, Idaho 83706
1220 Southwest 3rd Avenue, Room 640, Portland, Oregon 97204
505 106th Avenue NE, Suite 302, Bellevue, Washington 98004
Veterans' Employment and Training Service (VETS)

Regional Administrators

Boston Regional Office
J.F. Kennedy Federal Building, Government Center, Room E–315, Boston, Massachusetts 02203
Philadelphia Regional Office
The Curtis Center, Suite 770 West, 1705 Independence Mall West, Philadelphia, PA 19106–2205
Atlanta Regional Office
Atlanta Federal Center, 61 Forsyth Street, SW., Room 6T85, Atlanta, Georgia 30303
Chicago Regional Office
230 South Dearborn, Room 1064, Chicago, Illinois 60604
Dallas Regional Office
525 Griffin Street, Room 858, Dallas, Texas 75202
San Francisco Regional Office
90 Seventh Street Suite 2–600, San Francisco, California 94103

PART 75—DEPARTMENT OF LABOR REVIEW AND CERTIFICATION PROCEDURES FOR RURAL INDUSTRIALIZATION LOAN AND GRANT PROGRAMS UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT

23. The authority citation for 29 CFR part 75 continues to read as follows:


§ 75.11 [Amended]

24. In § 75.1(a), add the word “(USDA)” after the words “U.S. Department of Agriculture”; and, in paragraph (c) remove the words “, with the objective of complying with the intent of Congress that most applications will be acted upon.”

§ 75.11 [Amended]

25. Amend § 75.11 as follows:

a. In paragraphs (a)(1)(i), (a)(1)(ii), (a)(2), (b)(1)(ii), and (b)(1)(iii), remove the word “FHA” and add, in its place, the word “RD”;

b. In paragraph (b)(2) remove the words “State Employment Security Agencies” and add, in their place, the words “State workforce agencies”;

c. In paragraph (b)(1)(iv) remove the word “reports” and add, in its place, the word “Reports”.

§§ 75.1, 75.11 [Amended]

26. Amend §§ 75.1, and 75.11 as follows:

a. In § 75.1(b) and § 75.11(a), remove the words “Manpower Administration (MA)” and add, in their place, the words “Employment and Training Administration (ETA)”;

b. In § 75.1(a) and § 75.11(b)(3), remove the words “Farmers Home Administration” and add, in their place, the words “Rural Development Administration”;

c. In § 75.1(c) in two places and in § 75.11(b)(6), remove the words “the Department of Agriculture” and add, in their place, the word “USDA”;

d. In § 75.1(b), (d), and § 75.11, (b)(2) and (b)(5), remove the number “60” and add, in its place, the number “30”;

e. In § 75.1(a) in two places, and § 75.11(a)(1), (a)(2) in three places, (a)(3) in two places, (a)(4), (b)(1) introductory text, (b)(1)(iv), (b)(2), and (b)(5) in two places, remove the word “FmHA” and add, in its place, the word “RDA”;

f. In § 75.11(a)(1) introductory text, (a)(1)(iii), (a)(2), (a)(3) in three places, (a)(4), (b)(1) introductory text in two places, (b)(1)(iv), (b)(2) in four places, (b)(3), (b)(4), and (b)(5), remove the word “MA” and add, in its place, the word “ETA”.

PART 90—CERTIFICATION OF ELIGIBILITY TO APPLY FOR WORKER ADJUSTMENT ASSISTANCE

27. The authority citation for 29 CFR part 90 continues to read as follows:

Authority: 19 U.S.C. 2320; Secretary’s Order No. 3–2007, 72 FR 15907.

§ 90.2 [Amended]

28. In § 90.2, remove the definition of “Deputy Director”.

§§ 90.2, 90.11, 90.18, 90.31 [Amended]

29. Remove the words “601 D Street, NW., Washington, DC 20213, and add, in their place, the words “200 Constitution Avenue, NW., Washington DC 20210” in the following places:
PART 95—AUDIT REQUIREMENTS FOR GRANTS, CONTRACTS, AND OTHER AGREEMENTS

44. The authority citation for 29 CFR part 95 is revised to read as follows:


§ 96.54 [Amended]

45. In § 96.54 introductory text, after the words “fiscal year”, add the words “or $500,000 for fiscal years ending after December 31, 2003”.

§ 96.63 [Amended]

46. Amend § 96.63 as follows:

a. In paragraph (b)(4), remove the second reference to “Secretary” and add, in its place, the words “Administrative Review Board (the Board)”; and, remove the fourth reference to “Secretary” and add, in its place, the word “Board”; and

b. In paragraph (b)(5) heading, remove the words “Review by the Secretary of Labor” and add, in their place, the words “Review by the Administrative Review Board”; and, remove the first reference in the text to “Secretary” and add, in its place, the words “Administrative Review Board”.

PART 97—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

47. The authority citation for 29 CFR part 97 continues to read as follows:


§ 97.4 [Amended]

48–49. Amend § 97.4 as follows:

a. In paragraph (a)(3)(i), remove the words “Aid to Needy Families with Dependent Children” and add, in their place, the words “Temporary Assistance for Needy Families”; and,

b. In paragraph (a)(10), remove the words “Veterans Administration’s” and add, in their place, the words “Department of Veterans Affairs’”.

§ 97.22 [Amended]

50. Revise § 97.22(b) to read as follows:

§ 97.22 Allowable costs.

* * * * *

(b) Applicable cost principles. For each kind of organization, there is a set of Federal principles for determining allowable costs. Allowable costs will be determined in accordance with the cost principles applicable to the organization incurring the costs. The following chart
§ 97.26 [Amended]

51. In § 97.26(b), remove the words “expends $300,000 or more (or other amount as specified by OMB)” and add, in their place, the words “expends $300,000 or more (or $500,000 or more for fiscal years ending after December 31, 2003 or such other amount as specified by OMB)”, and, in § 97.26(b)(1) and (b)(2), remove the words “Circular A–110,” and add, in their place, “Circular A–110 (as codified at 2 CFR part 215).”

§ 97.36 [Amended]

52. In § 97.36(d)(1), remove the words “set at $100,000” and add, in their place, “set at $100,000, subject to adjustment for inflation”.

§ 97.42 [Amended]

53. In § 97.42(f), after the words “apply to records” insert the words “owned and possessed by the grantee.”

PART 98—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

54. The authority citation for 29 CFR part 98 continues to read as follows:


§ 98.530 [Amended]

55. In § 98.530(a), remove “http://epls.arnet.gov” and add, in its place, “[http://www.epls.gov]” and, in § 98.530(b), remove “(202) 783–3238” and add, in its place, “(202) 512–1800, or (866) 512–1800 (toll free)”.  

PART 99—AUDITS OF STATES, LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS

56. The authority citation for 29 CFR part 99 is revised to read as follows:


§ 99.200 Audit requirements.

99.230 [Amended]

58. In § 99.230(b)(2), after the words “Federal awards expended are less than $300,000 per year”, add the words “(or $500,000 for fiscal years ending after December 31, 2003)”.  

59. Revise § 99.305(a) to read as follows:

§ 99.305 Auditor selection.

(a) Auditor procurement. In procuring audit services, auditees shall follow the procurement standards prescribed by OMB Circular A–102, “Grants and Cooperative Agreements with State and Local Governments;” 29 CFR part 97, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;” OMB Circular A–110, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations;” (codified at 2 CFR part 215); or the FAR (48 CFR part 42), as applicable. (OMB Circulars are available on-line at http://www.whitehouse.gov/omb/circulars/index.html.) Whenever possible, auditees shall make positive efforts to utilize small businesses, minority-owned firms, and women’s business enterprises, in procuring audit services as stated in OMB Circular A–102, OMB Circular A–110 (2 CFR part 215), or the FAR (48 CFR part 42), as applicable. In requesting proposals for audit services, the objectives and scope of the audit should be made clear. Factors to be considered in evaluating each proposal for audit services include the responsiveness to the request for proposal, relevant experience, availability of staff with professional qualifications and technical abilities, the results of external quality control reviews, and price.

§§ 99.400, 99.520 [Amended]

60. In § 99.400(d)(4) and § 99.520(b)(1)(i) and (d)(2)(ii), after the number “$300,000”, add the words “(or $500,000 for fiscal years ending after December 31, 2003)”.


Susan Howe, 
Deputy Assistant Secretary for Policy.

[FR Doc. E7–12765 Filed 7–6–07; 8:45 am]

BILLING CODE 4510–23–P