

blocked, or assert that the circumstances resulting in the designation no longer apply, and thus seek to have the designation rescinded pursuant to the following administrative procedures:

(a) A person blocked under the provisions of any part of this chapter, including a specially designated national, specially designated terrorist, or specially designated narcotics trafficker (collectively, "a blocked person"), or a person owning a majority interest in a blocked vessel may submit arguments or evidence that the person believes establishes that insufficient basis exists for the designation. The blocked person also may propose remedial steps on the person's part, such as corporate reorganization, resignation of persons from positions in a blocked entity, or similar steps, which the person believes would negate the basis for designation. A person owning a majority interest in a blocked vessel may propose the sale of the vessel, with the proceeds to be placed into a blocked interest-bearing account after deducting the costs incurred while the vessel was blocked and the costs of the sale. This submission must be made in writing and addressed to the Director, Office of Foreign Assets Control, U.S. Department of the Treasury, 1500 Pennsylvania Avenue, NW—Annex, Washington, DC 20220.

(b) The information submitted by the blocked person seeking unblocking or by a person seeking the unblocking of a vessel will be reviewed by the Office of Foreign Assets Control, which may request clarifying, corroborating, or other additional information.

(c) A blocked person seeking unblocking or a person seeking the unblocking of a vessel may request a meeting with the Office of Foreign Assets Control; however, such meetings are not required, and the office may, at its discretion, decline to conduct such meetings prior to completing a review pursuant to this section.

(d) After the Office of Foreign Assets Control has conducted a review of the request for reconsideration, it will provide a written decision to the blocked person or person seeking the unblocking of a vessel.

Dated: January 6, 1999.

**R. Richard Newcomb,**

*Director, Office of Foreign Assets Control.*

Approved: January 20, 1999.

**Elisabeth A. Bresee,**

*Assistant Secretary (Enforcement),  
Department of the Treasury.*

[FR Doc. 99-2571 Filed 1-29-99; 3:55 pm]

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**GENERAL SERVICES  
ADMINISTRATION**

**41 CFR Part 101-47**

[FPMR Amendment H-201]

RIN 3090-AG60

**Utilization and Disposal of Real  
Property**

**AGENCY:** General Services  
Administration.

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration is amending the public benefit conveyance regulations for utilization and disposal of real property to update the Federal Property Management Regulations and to include implementation regulations for new laws. The new regulations incorporate the public benefit conveyance of surplus Federal Government real property for housing, law enforcement, and emergency management purposes. The laws that this regulation implements are Pub. L. 105-50, Pub. L. 105-119 Sec. 118, Pub. L. 98-181, 97 Stat. 1175, and Federal Property and Administrative Services Act amendments to 203(k) and 203(p).

**EFFECTIVE DATE:** February 4, 1999.

**FOR FURTHER INFORMATION CONTACT:**  
Stanley C. Langfeld, Director, Real Property Policy Division, Office of Real Property, at 202-501-1737.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

A proposed rule was published in the **Federal Register** on August 11, 1998 (63 FR 42792). All comments received were considered in the final rule. The Department of Defense provided a comment regarding the repeal of § 101-47.308-5 (Property for use as shrines, memorials, or for religious purposes) and its potential impact on current surplus real property actions. GSA agrees that actions that have begun on existing surplus real property may continue to conclusion; however, this authority will not be available to use in disposal actions on future surplus real property. A nonprofit self-help housing organization provided comments regarding the provisions for the notice period and the role of the Department of Housing and Urban Development (HUD) in the event that conveyed surplus property is reverted to the Federal Government. GSA adopted the comment to extend the notice period but not the expanded HUD role comment because HUD has not yet determined their program regulations as they relate to the reversionary clause provision. The

Department of Justice also provided comments regarding the time periods for conveyance. GSA adopted an extension of the time period for the notice period but not for other time periods due to GSA programmatic issues regarding consistency with other real property public benefit conveyances.

**B. Regulatory Flexibility Act**

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

**C. Executive Order 12866**

GSA has determined that this interim rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the revisions do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 501 *et seq.*

**E. Small Business Reform Act**

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

**List of Subjects in 41 CFR Part 101-47**

Government property management, Surplus Government property.

For the reasons stated in the preamble, 41 CFR part 101-47 is amended as follows:

**PART 101-47—UTILIZATION AND  
DISPOSAL OF REAL PROPERTY**

1. The authority citation for part 101-47 continues to read as follows:

**Authority:** 40 U.S.C. 486(c).

**§ 101-47.103-4 [Reserved]**

2. Section 101-47.103-4 is removed and reserved.

3. Section 101-47.203-5 is amended by revising paragraphs (b) and (c) to read as follows:

**§ 101-47.203-5 Screening of excess real property.**

\* \* \* \* \*

(b) Notices of availability for information of the Secretary of Health and Human Services and the Secretary of Education in connection with the exercise of the authority vested under the provisions of section 203(k)(1) of the Act; the Secretary of the Interior in

connection with provisions in 16 U.S.C. 667b through d, the exercise of the authority vested under the provisions of section 203(k)(2) of the Act, or a determination under the provisions of section 203(k)(3) of the Act; and the Secretary of Housing and Urban Development in connection with the exercise of the authority vested under the provisions of section 203(k)(6) of the Act will be sent to the offices designated by those officials to serve the areas in which the properties are located. Similar notices of availability for information of the Attorney General and the Director of the Federal Emergency Management Agency in connection with a possible determination under the provisions of section 203(p)(1) of the Act, and for information of the Secretary of Transportation in connection with the exercise of the authority vested under the provisions of section 203(q) of the Act, will be respectively sent to the Office of Justice Programs, Department of Justice; the Federal Emergency Management Agency; and the Maritime Administration, Department of Transportation.

(c) The Departments of Health and Human Services, Education, Interior, Housing and Urban Development, Justice, and Transportation, and the Federal Emergency Management Agency shall not attempt to interest a local applicant in a property until it is determined surplus, except with the prior consent of GSA on a case-by-case basis or as otherwise agreed upon. When such consent is obtained, the local applicant shall be informed that consideration of the application is conditional upon the property being determined surplus to Federal requirements and made available for the purposes of the application. However, these Federal agencies are encouraged to advise the appropriate GSA regional office of those excess properties which are suitable for their programs.

4. Section 101-47.204-1 is amended by revising the first sentence in paragraph (a), and paragraphs (b) and (c) to read as follows:

**§ 101-47.204-1 Reported property.**

\* \* \* \* \*

(a) The holding agency, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Attorney General, the Director of the Federal Emergency Management Agency, and the Secretary of Transportation will be notified of the date upon which determination as surplus becomes effective. \* \* \*

(b) The notices to the Secretary of Health and Human Services, the Secretary of Education, the Secretary of the Interior, the Secretary of Housing and Urban Development, and the Secretary of Energy will be sent to the offices designated by them to serve the area in which the property is located. The notices to the Attorney General will be sent to the Office of Justice Programs, Department of Justice. The notices to the Director of the Federal Emergency Management Agency will be sent to the Federal Emergency Management Agency. The notices to the Secretary of Transportation will be sent to the Federal Aviation Administration, the Federal Highway Administration, and the Maritime Administration. The notices to the Federal agencies having a requirement pursuant to section 218 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 will be sent to the office making the request unless another office is designated.

(c) With regard to surplus property which GSA predetermines will not be available for disposal under any of the statutes cited in § 101-47.4905, or whenever the holding agency has requested reimbursement of the net proceeds of disposition pursuant to section 204(c) of the Act, the notice to the affected Federal agencies will contain advice of such determination or request for reimbursement. The affected Federal agencies shall not screen for potential applicants for such property.

5. Section 101-47.303-2 is amended by revising paragraphs (e), (f), and (g) to read as follows:

**§ 101-47.303-2 Disposals to public agencies.**

\* \* \* \* \*

(e) In the case of property which may be made available for assignment to the Secretary of Health and Human Services (HHS), the Secretary of Education (ED), the Secretary of the Interior (DOI), or the Secretary of Housing and Urban Development (HUD) for disposal under sections 203(k)(1), (2), or (6) of the Act:

(1) The disposal agency shall inform the appropriate offices of HHS, ED, NPS, or HUD 3 workdays in advance of the date the notice will be given to public agencies, to permit similar notice to be given simultaneously by HHS, ED, NPS, or HUD to additional interested public bodies and/or nonprofit institutions.

(2) The disposal agency shall furnish the Federal agencies with a copy of the postdated transmittal letter addressed to each public agency, copies (not to exceed 25) of the postdated notice, and a copy of the holding agency's Report of

Excess Real Property (Standard Form 118, with accompanying schedules).

(3) As of the date of the transmittal letter and notice to public agencies, the affected Federal agencies may proceed with their screening functions for any potential applicants and thereafter may make their determinations of need and receive applications.

(f) If the disposal agency is not informed within the 20- or 30-calendar day period provided in the notice of the desire of a public agency to acquire the property under the provisions of the statutes listed in § 101-47.4905, or is not notified by ED or HHS of a potential educational or public health use, or is not notified by the DOI of a potential park or recreation, historic monument, or wildlife conservation use, or is not notified by the HUD of a potential self-help housing or housing assistance requirement, or is not notified by the Department of Justice of a potential correctional facilities or law enforcement use, or is not notified by the Federal Emergency Management Agency of a potential emergency management response use; or is not notified by the Department of Transportation of a potential port facility or public airport use, it shall be assumed that no public agency or otherwise eligible organization desires to procure the property. (The requirements of this § 101-47.303-2(f) shall not apply to the procedures for making Federal surplus real property available to assist the homeless in accordance with section 501 of the Stewart B. McKinney Homeless Assistance Act, as amended (42 U.S.C. 11411).)

(g) The disposal agency shall promptly review each response of a public agency to the notice given pursuant to paragraph (b) of this section. The disposal agency shall determine what constitutes a reasonable period of time to allow the public agency to develop and submit a formal application for the property or its comments as to the compatibility of the disposal with its development plans and programs. When making such determination, the disposal agency shall give consideration to the potential suitability of the property for the use proposed, the length of time the public agency has stated it will require for its action, the protection and maintenance costs to the Government during such length of time, and any other relevant facts and circumstances. The disposal agency shall coordinate such review and determination with the proper office of any interested Federal agencies listed below:

(1) National Park Service, Department of the Interior;

(2) Department of Health and Human Services;

(3) Department of Education;

(4) Department of Housing and Urban Development;

(5) Federal Aviation Administration, Department of Transportation;

(6) Fish and Wildlife Service,

Department of the Interior;

(7) Federal Highway Administration, Department of Transportation;

(8) Office of Justice Programs,

Department of Justice;

(9) Federal Emergency Management Agency; and

(10) Maritime Administration, Department of Transportation.

\* \* \* \* \*

**§ 101-47.308-5 [Reserved]**

6. Section 101-47.308-5 is removed and reserved.

7. Section 101-47.308-6 is revised to read as follows:

**§ 101-47.308-6 Property for providing self-help housing or housing assistance.**

(a) Property for self-help housing or housing assistance, as defined in section 203(k)(6)(C) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C.), is property for low-income housing opportunities through the construction, rehabilitation, or refurbishment of self-help housing, under terms that require that:

(1) Any individual or family receiving housing or housing assistance constructed, rehabilitated, or refurbished through use of the property shall contribute a significant amount of labor toward the construction, rehabilitation, or refurbishment; and

(2) Dwellings constructed, rehabilitated, or refurbished through use of the property shall be quality dwellings that comply with local building and safety codes and standards and shall be available at prices below prevailing market prices.

**Note to paragraph (a):** This program is separate from the program under Title V of the Stewart B. McKinney Act of 1987, which is covered in 41 CFR subpart 101-47.9 (Use of Federal Real Property To Assist the Homeless).

(b) The head of the disposal agency, or his/her designee, is authorized, at his/her discretion to assign to the Secretary of the Department of Housing and Urban Development (HUD) for disposal under section 203(k)(6) of the Act such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary as being needed for providing self-help housing

or housing assistance for low-income individuals or families.

(c) With respect to real property and related personal property which may be made available for assignment to HUD for disposal under section 203(k)(6) of the Act for self-help housing or housing assistance purposes, the disposal agency shall notify eligible public agencies, in accordance with the provisions of § 101-47.303-2, that such property has been determined to be surplus. Such notice to eligible public agencies shall state that any planning for self-help housing or housing assistance use involved in the development of the comprehensive and coordinated plan of use and procurement for the property must be coordinated with HUD and that an application form for such use of the property and instructions for the preparation and submission of an application may be obtained from HUD. The requirement for self-help housing or housing assistance use of the property by an eligible public agency will be contingent upon the disposal agency's approval under paragraph (j) of this section and a recommendation for assignment of Federal surplus real property received from HUD. Any subsequent transfer shall be subject to the disapproval of the head of the disposal agency as stipulated under section 203(k)(6)(B) of the Act and referenced in paragraph (k) of this section.

(d) With respect to surplus real property and related personal property which may be made available for assignment to HUD for disposal under section 203(k)(6) of the Act for self-help housing or housing assistance purposes to nonprofit organizations that exist for the primary purpose of providing housing or housing assistance for low-income individuals or families, HUD may notify such eligible nonprofit organizations, in accordance with the provisions of § 101-47.303-2(e), that such property has been determined to be surplus. Any such notice to eligible nonprofit organizations shall state that any requirement for housing or housing assistance use of the property should be coordinated with the public agency declaring to the disposal agency an intent to develop and submit a comprehensive and coordinated plan of use and procurement for the property. The requirement for self-help housing or housing assistance use of the property by an eligible nonprofit organization will be contingent upon the disposal agency's approval, under paragraph (j) of this section, of an assignment recommendation received from HUD, and any subsequent transfer shall be subject to the disapproval of the head of

the disposal agency as stipulated under section 203(k)(6)(B) of the Act and referenced in paragraph (k) of this section.

(e) HUD shall notify the disposal agency within 30-calendar days after the date of the notice of determination of surplus if it has an eligible applicant interested in acquiring the property. Whenever HUD has notified the disposal agency within the 30-calendar day period of a potential self-help housing or housing assistance requirement for the property, HUD shall submit to the disposal agency within 25-calendar days after the expiration of the 30-calendar day period, a recommendation for assignment of the property, or shall inform the disposal agency, within the 25-calendar day period, that a recommendation will not be made for assignment of the property.

(f) Whenever an eligible public agency has submitted a plan of use for property for a self-help housing or housing assistance requirement, in accordance with the provisions of § 101-47.303-2, the disposal agency shall transmit two copies of the plan to the regional office of HUD. HUD shall submit to the disposal agency, within 25-calendar days after the date the plan is transmitted, a recommendation for assignment of the property to the Secretary of HUD, or shall inform the disposal agency, within the 25-calendar day period, that a recommendation will not be made for assignment of the property to HUD.

(g) Any assignment recommendation submitted to the disposal agency by HUD shall set forth complete information concerning the self-help housing or housing assistance use, including:

- (1) Identification of the property;
- (2) Name of the applicant and the size and nature of its program;
- (3) Specific use planned;
- (4) Intended public benefit allowance;
- (5) Estimate of the value upon which such proposed allowance is based; and
- (6) If the acreage or value of the property exceeds the standards established by the Secretary, an explanation therefor.

**Note to paragraph (g):** HUD shall furnish to the holding agency a copy of the recommendation, unless the holding agency is also the disposal agency.

(h) Holding agencies shall cooperate to the fullest extent possible with representatives of HUD in their inspection of such property and in furnishing information relating thereto.

(i) In the absence of an assignment recommendation from HUD submitted pursuant to § 101-47.308-6(e) or (f), and

received within the 25-calendar day time limit specified therein, the disposal agency shall proceed with other disposal actions.

(j) If, after considering other uses for the property, the disposal agency approves the assignment recommendation from HUD, it shall assign the property by letter or other document to the Secretary of HUD. If the recommendation is disapproved, the disposal agency shall likewise notify the Secretary of HUD. The disposal agency shall furnish to the holding agency a copy of the assignment, unless the holding agency is also the disposal agency.

(k) Subsequent to the receipt of the disposal agency's letter of assignment, HUD shall furnish to the disposal agency a Notice of Proposed Transfer in accordance with section 203(k)(6)(B) of the Act. If the disposal agency has not disapproved the proposed transfer within 30-calendar days of the receipt of the Notice of Proposed Transfer, HUD may proceed with the transfer.

(l) HUD shall furnish the Notice of Proposed Transfer within 35-calendar days after the disposal agency's letter of assignment and shall prepare the transfer documents and take all necessary actions to accomplish the transfer within 15-calendar days after the expiration of the 30-calendar day period provided for the disposal agency to consider the notice. HUD shall furnish the disposal agency two conformed copies of deeds, leases or other instruments conveying the property under section 203(k)(6) of the Act and all related documents containing restrictions or conditions regulating the future use, maintenance or transfer of the property.

(m) HUD has the responsibility for enforcing compliance with the terms and conditions of transfer; for the reformation, correction, or amendment of any transfer instrument; for the granting of releases; and for the taking of any necessary actions for recapturing such property in accordance with the provisions of section 203(k)(4) of the Act. HUD maintains the same responsibility for properties previously conveyed under section 414(a) of the 1969 HUD Act. Any such action shall be subject to the disapproval of the head of the disposal agency. Notice to the head of the disposal agency by HUD of any action proposed to be taken shall identify the property affected, set forth in detail the proposed action, and state the reasons therefor.

(n) If any property previously conveyed under section 414(a) of the 1969 HUD Act, as amended, to an entity other than a public body is used for any

purpose other than the purpose for which it was sold or leased within a period of 30 years of the conveyance, it shall revert to the United States (or, in the case of leased property, the lease shall terminate) unless the appropriate Secretary (HUD or the Secretary of Agriculture (USDA)) and the Administrator of General Services, after the expiration of the first 20 years of such period, approve the use of the property for such other purpose.

(o) In each case of repossession under a terminated lease or reversion of title by reason of noncompliance with the terms or conditions of sale or other cause, HUD (or USDA for property conveyed through the former Farmers Home Administration program under section 414(a) of the 1969 HUD Act) shall, at or prior to such repossession or reversion of title, provide the appropriate GSA regional office with an accurate description of the real and related personal property involved. Standard Form 118, Report of Excess Real Property, and the appropriate schedules shall be used for this purpose. Upon receipt of advice from HUD (or USDA) that such property has been repossessed or title has reverted, GSA will act upon the Standard Form 118. The grantee shall be required to provide protection and maintenance for the property until such time as the title reverts to the Federal Government, including the period of any notice of intent to revert. Such protection and maintenance shall, at a minimum, conform to the standards prescribed in § 101-47.4913.

8. Section 101-47.308-9 is amended by revising the section heading, paragraphs (a) through (g), and paragraphs (j) and (k) to read as follows:

**§ 101-47.308-9 Property for correctional facility, law enforcement, or emergency management response purposes.**

(a) Under section 203(p)(1) of the Act, the head of the disposal agency or designee may, in his/her discretion, convey, without monetary consideration, to any State, or to those governmental bodies named therein, or to any political subdivision or instrumentality thereof, surplus real and related personal property for:

(1) Correctional facility purposes, provided the Attorney General has determined that the property is required for such purposes and has approved an appropriate program or project for the care or rehabilitation of criminal offenders;

(2) Law enforcement purposes, provided the Attorney General has determined that the property is required for such purposes; and

(3) Emergency management response purposes, including fire and rescue services, provided the Director of the Federal Emergency Management Agency has determined that the property is required for such purposes.

(b) The disposal agency shall provide prompt notification to the Office of Justice Programs (OJP), Department of Justice (DOJ), and the Federal Emergency Management Agency (FEMA) of the availability of surplus properties. Included in the notification to OJP and FEMA will be a copy of the holding agency's Standard Form 118, Report of Excess Real Property, with accompanying schedules.

(c) With respect to real property and related personal property which may be made available for disposal under section 203(p)(1) of the Act for correctional facility, law enforcement, or emergency management response purposes, OJP or FEMA shall convey notices of availability of properties to the appropriate State and local public agencies. Such notice shall state that any planning for correctional facility, law enforcement, or emergency management response use involved in the development of a comprehensive and coordinated plan of use and procurement for the property must be coordinated and approved by the OJP or FEMA, as appropriate, and that an application form for such use of the property and instructions for the preparation and submission of an application may be obtained from OJP or FEMA. OJP defines the term "law enforcement" to mean "any activity involving the control or reduction of crime and juvenile delinquency, or enforcement of the criminal law, including investigative activities such as laboratory functions as well as training." The requirement for correctional facility, law enforcement, or emergency management response use of the property by an eligible public agency will be contingent upon the disposal agency's approval under paragraph (g) of this section of a determination:

(1) By DOJ that identifies surplus property required for correctional facility use under an appropriate program or project for the care of rehabilitation of criminal offenders, or for law enforcement use; or

(2) By FEMA that identifies surplus property required for emergency management response use.

(d) OJP or FEMA shall notify the disposal agency within 30-calendar days after the date of the notice of determination of surplus if there is an eligible applicant interested in acquiring the property. Whenever OJP or FEMA

has notified the disposal agency within the said 30-calendar day period of a potential correctional facility, law enforcement, or emergency management response requirement for the property, OJP or FEMA shall submit to the disposal agency within 25-calendar days after the expiration of the 30-calendar day period, a determination indicating a correctional facility requirement for the property and approving an appropriate program or project for the care or rehabilitation of criminal offenders, a law enforcement requirement, or an emergency management response requirement, or shall inform the disposal agency, within the 25-calendar day period, that the property will not be required for correctional facility, law enforcement, or an emergency management response use.

(e) Any determination submitted to the disposal agency by DOJ or FEMA shall set forth complete information concerning the correctional facility, law enforcement, or emergency management response use, including:

- (1) Identification of the property;
- (2) Certification that the property is required for correctional facility, law enforcement, or emergency management response use;
- (3) A copy of the approved application which defines the proposed plan of use; and
- (4) The environmental impact of the proposed correctional facility, law enforcement, or emergency management response use.

(f) Both holding and disposal agencies shall cooperate to the fullest extent possible with Federal and State agency representatives in their inspection of such property and in furnishing information relating thereto.

(g) If, after considering other uses for the property, the disposal agency approves the determination by DOJ or FEMA, it shall convey the property to the appropriate grantee. If the determination is disapproved, or in the absence of a determination from DOJ or FEMA submitted pursuant to § 101-47.308-9(d), and received within the 25-calendar day time limit specified therein, the disposal agency shall proceed with other disposal actions. The disposal agency shall notify OJP or FEMA 10 days prior to any announcement of a determination to either approve or disapprove an application for correctional, law enforcement, or emergency management response purposes and shall furnish to OJP or FEMA a copy of the conveyance documents.

\* \* \* \* \*

(j) The OJP or FEMA will notify GSA upon discovery of any information

indicating a change in use and, upon request, make a redetermination of continued appropriateness of the use of a transferred property.

(k) In each case of repossession under a reversion of title by reason of noncompliance with the terms of the conveyance documents or other cause, OJP or FEMA shall, at or prior to such repossession, provide the appropriate GSA regional office with an accurate description of the real and related personal property involved. Standard Form 118, Report of Excess Real Property, and the appropriate schedules shall be used for this purpose. Upon receipt of advice from OJP or FEMA that such property has been repossessed and/or title has reverted, GSA will act upon the Standard Form 118. The grantee shall be required to provide protection and maintenance for the property until such time as the title reverts to the Federal Government, including the period of any notice of intent to revert. Such protection and maintenance shall, at a minimum, conform to the standards prescribed in § 101-47.4913.

#### § 101-47.4905 [Amended]

9. Section 101-47.4905 is amended as follows:

a. In the paragraphs headed "Type of property" under the listings for Statutes 40 U.S.C. 484(k)(2), 40 U.S.C. 484(k)(3), and 40 U.S.C. 484(q), remove the phrase "military chapels subject to disposal as a shrine, memorial, or for religious purposes under the provisions of § 101-47.308-5; and (4)" wherever it appears.

b. Add paragraphs headed "Statute", "Type of property", and "Eligible public agencies" for statute citation 40 U.S.C. 484(k)(6) in numerical order as set forth below.

c. Revise the paragraphs headed "Statute", "Type of property", and "Eligible public agencies" for statute citation 40 U.S.C. 484(p) as set forth below.

d. In the paragraph headed "Type of property" under the listing for 49 U.S.C. 47151, remove the phrase "military chapels subject to disposal as a shrine, memorial, or for religious purposes under the provisions of Sec. 101-47.308-5; and (3)"; and remove the numbers "(4)" and "(5)" and add in their place "(3)" and "(4)" respectively.

#### § 101-47.4905 Extract of statutes authorizing disposal of surplus real property to public agencies.

\* \* \* \* \*

*Statute:* 40 U.S.C. 484(k)(6). Disposals for self-help housing and housing assistance.

*Type of property\*:* Any surplus real and related personal property, including

buildings, fixtures, and equipment situated thereon, exclusive of (1) oil, gas, and mineral rights; (2) improvements without land; and (3) property which the holding agency has requested reimbursement of the net proceeds of disposition pursuant to section 204(c) of the Act. Before property may be conveyed under this statute, the Secretary of the Housing and Urban Development must recommend that the property is needed for providing self-help housing or housing assistance for low-income individuals or families.

*Eligible public agencies:* Any State, any political subdivision or instrumentality of a State, or any nonprofit organization that exists for the primary purpose of providing self-help housing or housing assistance for low-income individuals or families.

*Statute:* 40 U.S.C. 484(p). Disposals for correctional facility, law enforcement, or emergency management response purposes.

*Type of property\*:* Any surplus real and related personal property, including buildings, fixtures, and equipment situated thereon, exclusive of (1) oil, gas, and mineral rights; (2) improvements without land; and (3) property which the holding agency has requested reimbursement of the net proceeds of disposition pursuant to section 204(c) of the Act. Before property may be conveyed under this statute, the Attorney General must determine that the property is required for correctional facility use under an appropriate program or project approved by the Attorney General for the care or rehabilitation of criminal offenders or for law enforcement use. Before property may be conveyed under this statute for emergency management response use, the Director of the Federal Emergency Management Agency must determine that the property is required for such use.

*Eligible public agencies:* Any State; the District of Columbia; any territory or possession of the United States; and any political subdivision or instrumentality thereof.

\* \* \* \* \*

#### § 101-47.4906 [Amended]

10. Amend § 101-47.4906 as follows:

a. In the list of statutes, add the statute citation "40 U.S.C. 484(k)(6) Self-help housing and housing assistance." after "40 U.S.C. 484(k)(3) Historic monument."

b. In the list of statutes, revise the title of 40 U.S.C. 484(p) to read as follows: "Correctional facility, law enforcement, or emergency management response."

Dated: January 6, 1999.

**David J. Barram,**

*Administrator of General Services.*

[FR Doc. 99-2614 Filed 2-3-99; 8:45 am]

BILLING CODE 6820-23-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

**48 CFR Parts 1804, 1807, 1808, 1813, 1816, 1819, 1827, 1832, 1833, 1836, 1844, 1852 and 1853**

### Miscellaneous Revisions to the NASA FAR Supplement

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** This rule amends the NASA Federal Acquisition Regulation Supplement (NFS) to make editorial corrections and miscellaneous changes dealing with NASA internal and administrative matters.

**EFFECTIVE DATE:** February 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas O'Toole, (202) 358-0478; e-mail: [thomas.otoole@hq.nasa.gov](mailto:thomas.otoole@hq.nasa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

A number of administrative changes are made. These changes include: (1) Revising the responsibilities for posting data of the Acquisition Forecast on the internet; (2) updating the Department of Energy (DOE) form for acquiring radioisotopes; (3) changing subpart titles, section headings, and section numbers due to changes made by Federal Acquisition Circulars (FAC) 97-09 and 97-10; (5) raising the dollar threshold for consideration of the need for surveillance of subcontracts resulting from contract modifications and change orders to a threshold equal to that for obtaining cost or pricing data; and (6) updating a reference to an internal document on records retention. None of these administrative changes has an impact outside internal Agency operating procedures.

#### Impact

NASA certifies that this regulation will not have a significant economic impact on a substantial number of small business entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because the changes affect internal Agency procedures only. This final rule does not impose any reporting or recordkeeping requirements subject to the Paper Reduction Act.

### List of Subjects in 48 CFR Parts 1804, 1807, 1808, 1813, 1816, 1819, 1827, 1832, 1833, 1836, 1844, 1852 and 1853

Government procurement.

**Thomas S. Luedtke,**

*Acting Associate Administrator for Procurement.*

Accordingly, 48 CFR Parts 1804, 1807, 1808, 1813, 1816, 1819, 1827, 1832, 1833, 1836, 1844, 1852 and 1853 are amended as follows:

1. The authority citation for 48 CFR Parts 1804, 1807, 1808, 1813, 1816, 1819, 1827, 1832, 1833, 1836, 1844, 1852 and 1853 continues to read as follows:

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

#### PART 1804—ADMINISTRATIVE MATTERS

##### 1804.805 [Amended]

2. In section 1804.805, paragraph (a) is revised to read:

##### 1804.805 Storage, handling, and disposal of contract files.

(a) See NPG 1441.1C, Records Retention Schedules.

##### 1804.805-70 [Amended]

3. In paragraph (b)(2) to section 1804.805-70, the reference "NHB 1441.1, NASA Records Disposition Handbook" is revised to read "NPG 1441.1C, Records Retention Schedules".

#### PART 1807—ACQUISITION PLANNING

##### 1807.7203 [Amended]

4. Section 1807.7203 is revised to read as follows:

##### 1807.7203 Responsibilities.

(a) NASA Procurement Officers shall post the data required by 1807.7204 directly to the NASA Acquisition Internet Service not later than October 1 for the annual forecast and April 15 for the semiannual update.

(b) Code HS will manage policy and monitor compliance with the NASA Acquisition Forecast process.

#### PART 1808—REQUIRED SOURCES OF SUPPLIES AND SERVICES

##### 1808.002-70 [Amended]

5. Section 1808.002-70 is revised to read as follows:

##### 1808.002-70 Acquisition of radioisotopes.

(a) U.S. Department of Energy Isotope and Technical Service Order Form CA-10-90.COM, and U.S. Nuclear Regulatory Commission Application for Material License, NRC Form 313, shall be used to acquire radioisotopes.

(b) NRC Form 313 shall be filed with the Chief, Radioisotopes Licensing

Branch, Division of Fuel Cycle and Material Safety, United States Nuclear Regulatory Commission, Washington, DC 20555. If the application meets all regulatory requirements and applicable standards, the Radioisotopes Licensing Branch, Nuclear Regulatory Commission, will issue a license to the applicant. After receipt of the license, a completed DOE Form CA-10-90.COM (in duplicate, if the contracting office wants an accepted copy of the form back from the supplier), the license, and a Government bill of lading shall be sent to the appropriate DOE laboratory. If a bill of lading is not furnished, shipment shall be made collect on a commercial bill of lading, to be converted at destination.

(c) NRC Form 313 and DOE Form CA-10-90.COM may be requisitioned directly from the United States Nuclear Regulatory Commission, Attn: Radioisotopes Licensing Branch, Division of Fuel Cycle and Material Safety, Washington, DC 20555.

(d) Guidance is available from NRC at URL <http://www.nrc.gov/NRC/contents/#top> and from DOE at URL <http://www.ornl.gov/isotopes/catalog.htm>.

#### PART 1813—SIMPLIFIED ACQUISITION PROCEDURES

##### 1813.003 [Amended]

6-7. In section 1813.003, paragraph (h) is redesignated as paragraph (g).

#### PART 1816—TYPES OF CONTRACTS

##### 1816.203-4 [Amended]

8. In paragraph (d)(2) to section 1816.203-4, the reference "Code HC" is revised to read "Code HK".

#### PART 1819—SMALL BUSINESS PROGRAMS

##### Subpart 1819.3 [Amended]

9. In Subpart 1819.3, the subpart heading is revised to read "Determination of Status as a Small Business, HUBZone Small Business, or Small Disadvantaged Business Concern".

##### 1819.506 [Amended]

10. In section 1819.506, the section heading is revised to read "Withdrawing or modifying small business set-asides (NASA supplements paragraph (b))".

##### Subpart 1819.7 [Amended]

11. In Subpart 1819.7, the subpart heading is revised to read "The Small Business Subcontracting Program".