

procedures of the APA are waived, under section 553(b), as being impracticable and unnecessary.

The fifth change, the use of program funds for off-site labor in appropriate circumstances, is made after receiving substantial public comment and is in the public interest to have in effect without further delay. Moreover, this change raises no substantial issues and has no substantial impact on the economy or individuals and businesses. Finally, although the changes in today's rule will become effective in 30 days, there is opportunity for further written comment, particularly on the fifth change, which the DOE will consider and incorporate in the program rules if justified.

2. Executive Order 12291. Today's issuance was reviewed under Executive Order 12291 (February 17, 1981). DOE has concluded that the rule is not a "major rule" because it will not result in: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

(Energy Conservation in Existing Buildings Act of 1976, as amended, 42 U.S.C. 6651 et seq.; Department of Energy Organization Act, 42 U.S.C. 7101 et seq.)

In consideration of the foregoing, Part 440 of Chapter II of Title 10 of the Code of Federal Regulations is amended as set forth below, effective July 1, 1981.

Issued in Washington, D.C., May 21, 1981.

Joseph J. Tribble,

Assistant Secretary, Conservation and Renewable Energy.

10 CFR Part 440 is amended as follows:

§ 440.2 (Amended)

1. a. Section 440.2 is amended by removing paragraph (a)(3); by redesignating paragraphs (a)(4), (a)(5), (a)(6), (a)(7), (a)(8) and (a)(9) as paragraphs (a)(3), (a)(4), (a)(5), (a)(6), (a)(7) and (a)(8) respectively; and by inserting new paragraphs (a)(6), (a)(7) and (a)(8) as follows:

(a)

(6) Office of Management and Budget Circular A-102, entitled "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments;

(7) Office of Management and Budget Circular A-110, entitled "Grants and

Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations;"

(8) Office of Management and Budget Circular A-122, entitled "Cost Principles for Nonprofit Organizations;"

b. Section 440.2(b) is amended by removing the reference to § 440.2(a)(3) and in its place inserting § 440.2(a)(6).

§ 440.3 (Amended)

2. Section 440.3 is amended by removing the definition for "Eligible State."

§ 440.10 (Amended)

3. Section 440.10 is amended by removing the terms "eligible States" and "eligible State" in paragraphs (b) (1) and (2), respectively, and removing the term "eligible State" in paragraph (e) and inserting in their place the terms "States" and "State" in paragraphs (b) (1) and (2), respectively, and "State" in paragraph (e). Paragraph (b)(1) is also amended by removing "five million dollars" and inserting in its place "five million one hundred thousand dollars."

§ 440.16 (Amended)

4. Section 440.16 is amended by removing "\$100" in paragraph (a)(1)(iii) and in its place inserting "\$150;" and by removing paragraph (b), and in its place inserting the following new paragraph (b):

(b) Not more than 10 percent of any grant made to a State may be used by the grantee and subgrantees for administrative purposes in carrying out duties under this part, except that not more than 5 percent may be used by the State for such purposes.

§ 440.17 (Amended)

5. Section 440.17(a)(2) is amended by removing "to install weatherization materials," after " " weatherization services."

§ 440.21 (Amended)

6. Section 440.21 is amended by removing paragraph (d) and replacing it with a new paragraph (d), as follows:

(d) Each grantee shall ensure that audits by or on behalf of subgrantees are conducted with reasonable frequency, on a continuing basis, or at scheduled intervals, usually annually, but not less frequently than every two years, in accordance with OMB Circular

A-102, Attachment P, and OMB Circular A-110, Attachment F, as applicable.

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FEDERAL RESERVE SYSTEM

12 CFR Part 213

(Reg. M; Docket No. R-0354)

Consumer Leasing; Regulation M; Correction

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final Regulation M (Consumer Leasing) that appeared at page 20949 in the Federal Register of Tuesday, April 7, 1981 (46 FR 20949). The action is necessary to correct typographical errors and footnote numbering in the document.

FOR FURTHER INFORMATION CONTACT: Steven Zeisel, Staff Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, (202) 452-3867.

The following corrections are made in FR Doc. 81-10351 appearing on 20949 in the issue of April 7, 1981:

1. On page 20952, column 1, first full paragraph, § 213.2(17)(ii) is corrected by changing "unrefundable" to "nonrefundable"

2. On page 20953, column 3, first full paragraph, § 213.3(b) is corrected by changing "schedule or lease terms" to "schedule of lease terms"

3. On page 20954, at the bottom of column 3, footnotes 2 and 3 to Appendix A and corresponding text references are corrected by renumbering them 1 and 2.

4. On page 20955, at the bottom of column 1, footnotes 4 and 5 to Appendix A and corresponding text references are corrected by renumbering them 3 and 4.

5. On page 20956, at the bottom of column 1, footnotes 6, 7, and 8 to Appendix B and corresponding text references are corrected by renumbering them 1, 2, and 3.

6. On page 20956, column 2, first full paragraph, paragraph (b)(3) of Appendix B is corrected by deleting the parenthetical symbol preceding "(reasons)"

7. On page 20956, at the bottom of column 2, footnote 9 to Appendix B and corresponding text reference is corrected by renumbering it 4.

8. On page 20956, column 3, second line, paragraph (c)(6) of Appendix B is