



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

OCT 21 1994

FINANCIAL ADMINISTRATION MEMORANDUM NO. 94 - 070 (II.J.)

To: Bureau Assistant Directors, Administration
Director, Administrative Services
Bureau Finance Officers
Chief, Division of Fiscal Services

From: Chief, Division of Financial Administration
Office of Financial Management


Subject: Cash Management Improvement Act

Attached is a final Treasury rule that amends the Cash Management Improvement Act of 1990 (CMIA). This rule was published in the Federal Register, Volume 59, Number 197, on October 13, 1994.

This regulation modifies the implementation schedule for CMIA so that no State had to begin the second phase prior to July 1, 1994. The change was made to accommodate the State of New York which has a unique fiscal year that begins on April 1. No other changes have been made to 31 CFR part 205.

The effective date of this rulemaking is November 14, 1994.

Please direct any questions you may have on this subject to Mr. Linh Luu, Division of Financial Administration, at (202) 208-6295.


Stephen J. Varholy

Attachment

Prior Financial Administration Memorandums
on this Subject:

FAM No. 91-013, March 3, 1991 - Active
FAM No. 93-053, September 14, 1993 - Active

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 205

RIN Number 1510-AA-00

Rules and Procedures for Funds Transfers

AGENCY: Treasury, Fiscal, Financial Management Service.

ACTION: Final rule.

SUMMARY: This rule amends the regulations implementing the Cash Management Improvement Act of 1990 (CMIA), as amended, which governs the transfer of funds between the Federal Government and the States under Federal assistance programs. It finalizes without change a previously published interim rule which delayed the date on which the State of New York had to begin the second phase of CMIA implementation. This rulemaking makes no other changes to the CMIA regulations.

EFFECTIVE DATE: This rulemaking is effective November 14, 1994.

FOR FURTHER INFORMATION CONTACT: John Galligan, (202) 874-6935.

SUPPLEMENTARY INFORMATION:

Background

The regulations at 31 CFR part 205 established a two-stage implementation of the Cash Management Improvement Act of 1990 (CMIA), as amended, which governs the transfer of funds between the Federal Government and the States under Federal assistance programs.

During the first phase of implementation, only the 20 largest Federal assistance programs were covered by CMIA. From the second year onward, the scope of CMIA expands to cover all "major Federal assistance programs," as defined by the Single Audit Act. This second phase of implementation takes effect at the start of each State's 1995 fiscal year, so that States can introduce the new cash management requirements with a new fiscal year.

The State of New York, however, has a unique fiscal year that begins on April 1, which is 3 months prior to the start of the typical State fiscal year on July 1. Hence, New York would be subject to expanded CMIA requirements 3 months before the other States; it would have only 9 months for the first phase of implementation, whereas all other States and territories would have a full year.

On March 30, 1994, therefore, the Financial Management Service (FMS)

issued an interim rule to amend 31 CFR part 205 and allow New York a full year for the first stage of implementation (59 FR 14753). This interim rule modified the implementation schedule so that no State had to begin the second phase prior to July 1, 1994. It made no other changes to 31 CFR part 205 and affected only New York. It was effective upon publication, but public comment was solicited from all interested parties.

The FMS received one comment on the interim rule. The Executive Department of the State of New York wrote to express support for it. Accordingly, the FMS considers it appropriate to adopt the interim rule as a final rule. The purpose of this rulemaking, therefore, is to finalize, without change, the provision contained in the interim rule.

Executive Order 12866

It has been determined that this regulation is not a significant regulatory action as defined in E.O. 12866. Therefore, a Regulatory Assessment is not required.

Regulatory Flexibility Act

Because no notice of proposed rulemaking was required for this rule, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

List of Subjects in 31 CFR Part 205

Electronic funds transfer, Grant administration, Grant programs, Intergovernmental relations.

Issuance

For the reasons set forth in the preamble, 31 CFR part 205 is amended by this final rule as follows:

PART 205—[AMENDED]

1. The authority citation for 31 CFR Part 205 continues to read as follows:

Authority: 5 U.S.C. 301; 31 U.S.C. 321, 3335, 6501, 6503.

2. Paragraph (b) of § 205.4 is revised to read as follows:

§ 205.4 Scope of subpart.

* * * * *

(b) *Threshold of materiality.* From the later of July 1, 1994, or the beginning of a State's 1995 fiscal year, and thereafter, this subpart applies, at a minimum, to all programs that meet the threshold for major Federal assistance programs in a State.

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Dated: September 9, 1994.

Russell D. Morris,

Commissioner.

[FR Doc. 94-25329 Filed 10-12-94; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

RIN 1018-AB43

Subsistence Management Regulations for Public Lands in Alaska, Subpart D; Subsistence Taking of Fish and Wildlife Regulations; Correcting Amendments

AGENCY: Forest Service, USDA, Fish and Wildlife Service, Interior.

ACTION: Correcting amendments.

SUMMARY: These corrections amend the Subsistence Management Regulations for Public Lands in Alaska (50 CFR part 100 and 36 CFR part 242, published in the Federal Register on June 3, 1994) implementing the subsistence priority for rural residents of Alaska under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) of 1980.

DATES: Effective July 1, 1994, these corrections amend the Subsistence Management Regulations, 50 CFR part 100 and 36 CFR part 242.

FOR FURTHER INFORMATION CONTACT: Richard S. Pospahala, Office of Subsistence Management, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, Alaska 99503; telephone (907) 786-3447. For questions specific to National Forest System lands, contact Norman Howse, Assistant Director, Subsistence, USDA—Forest Service, Alaska Region, P.O. Box 21628, Juneau, Alaska 99802; telephone (907) 586-8890.

SUPPLEMENTARY INFORMATION:

Background—Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126) requires that the Secretary of the Interior and the Secretary of Agriculture (Secretaries) implement a joint program to grant a preference for subsistence uses of fish and wildlife resources on public lands, unless the State of Alaska enacts and implements laws of general applicability which are consistent with ANILCA, and which provide for the