

**§ 101-6.2107**

after the Administrator is notified of its selections.

**§ 101-6.2107 How does the Administrator communicate with State and local officials concerning GSA's programs and activities?**

(a) [Reserved]

(b) The Administrator provides notice to directly affected State, areawide, regional, and local entities in a State of proposed Federal financial assistance or direct Federal development if:

(1) The State has not adopted a process under the Order; or

(2) The assistance or development involves a program or activity not selected for the State process.

NOTE: This notice may be made by publication in the FEDERAL REGISTER or other appropriate means, which GSA in its discretion deems appropriate.

**§ 101-6.2108 How does the Administrator provide States an opportunity to comment on proposed Federal financial assistance and direct Federal development?**

(a) Except in unusual circumstances, the Administrator gives State processes or directly affected State, areawide, regional and local officials and entities at least:

(1) [Reserved]

(2) 60 days from the date established by the Administrator to comment on proposed direct Federal development or Federal financial assistance.

(b) This section also applies to comments in cases in which the review, coordination, and communication with GSA have been delegated.

**§ 101-6.2109 How does the Administrator receive and respond to comments?**

(a) The Administrator follows the procedures in § 101-6.2110 if:

(1) A State office or official is designated to act as a single point of contact between a State process and all Federal agencies, and

(2) That office or official transmits a State process recommendation for a program selected under § 101-6.2106.

(b)(1) The single point of contact is not obligated to transmit comments from State, areawide, regional or local

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officials and entities where there is no State process recommendation.

(2) If a State process recommendation is transmitted by a single point of contact, all comments from State, areawide, regional, and local officials and entities that differ from it must also be transmitted.

(c) If a State has not established a process, or is unable to submit a State process recommendation, State, areawide, regional and local officials and entities may submit comments to GSA.

(d) If a program or activity is not selected for a State process, State, areawide, regional and local officials and entities may submit comments to GSA. In addition, if a State process recommendation for a nonselected program or activity is transmitted to GSA by the single point of contact, the Administrator follows the procedures of § 101-6.2110 of this part.

(e) The Administrator considers comments which do not constitute a State process recommendation submitted under these regulations, and for which the Administrator is not required to apply the procedures of § 101-6.2110 of this part, when such comments are provided by a single point of contact, or directly to GSA by a commenting party.

**§ 101-6.2110 How does the Administrator make efforts to accommodate intergovernmental concerns?**

(a) If a State process provides a State process recommendation to GSA through its single point of contact, the Administrator either:

(1) Accepts the recommendation;

(2) Reaches a mutually agreeable solution with the State process; or

(3) Provides the single point of contact with such written explanation of its decision, as the Administrator in his or her discretion deems appropriate. The Administrator may also supplement the written explanation by providing the explanation to the single point of contact by telephone, other telecommunication, or other means.

(b) In any explanation under paragraph (a)(3) of this section, the Administrator informs the single point of contact that:

(1) GSA will not implement its decision for at least ten days after the single point of contact receives the explanation; or

(2) The Administrator has reviewed the decision and determined that, because of unusual circumstances, the waiting period of at least ten days is not feasible.

(c) For purposes of computing the waiting period under paragraph (b)(1) of this section, a single point of contact is presumed to have received written notification 5 days after the date of mailing of such notification.

**§ 101-6.2111 What are the Administrator's obligations in interstate situations?**

(a) The Administrator is responsible for:

(1) Identifying proposed Federal financial assistance and direct Federal development that have an impact on interstate areas;

(2) Notifying appropriate officials and entities in States which have adopted a process and which have selected a GSA program or activity;

(3) Making efforts to identify and notify the affected State, areawide, regional, and local officials and entities in those States that have not adopted a process under the Order or have not selected a GSA program or activity; and

(4) Responding pursuant to § 101-6.2110 of this part if the Administrator receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with GSA have been delegated.

(b) The Administrator uses the procedures in § 101-6.2110 if a State process provides a State process recommendation to GSA through a single point of contact.

**§ 101-6.2112 How may a State simplify, consolidate, or substitute federally required State plans?**

(a) As used in this section:

(1) *Simplify* means that a State may develop its own format, choose its own submission date, and select the planning period for a State plan.

(2) *Consolidate* means that a State may meet statutory and regulatory requirements by combining two or more

plans into one document and that the State can select the format, submission date, and planning period for the consolidated plan.

(3) *Substitute* means that a State may use a plan or other document that it has developed for its own purposes to meet Federal requirements.

(b) If not inconsistent with law, a State may decide to try to simplify, consolidate, or substitute federally required State plans without prior approval by the Administrator.

(c) The Administrator reviews each State plan that a State has simplified, consolidated, or substituted and accepts the plan only if its contents meet Federal requirements.

**§ 101-6.2113 May the Administrator waive any provision of these regulations?**

In an emergency, the Administrator may waive any provision of these regulations.

**Subparts 101-6.22—101-6.48  
[Reserved]**

**Subpart 101-6.49—Illustrations**

AUTHORITY: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

**§ 101-6.4900 Scope of subpart.**

This subpart contains illustrations prescribed for use in connection with the subject matter covered in part 101-6.

[37 FR 20542, Sept. 30, 1972]

**§ 101-6.4901 [Reserved]**

**§ 101-6.4902 Format of certification required for budget submissions of estimates of obligations in excess of \$100,000 for acquisitions of real and related personal property.**

NOTE: The illustration in § 101-6.4902 is filed as part of the original document.

[37 FR 20542, Sept. 30, 1972]

**PART 101-8—NONDISCRIMINATION IN FEDERAL FINANCIAL ASSISTANCE PROGRAMS**

**Subparts 101-8.1—101-8.2 [Reserved]**