

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 2

#### Revision of Delegations of Authority

**AGENCY:** Department of Agriculture.

**ACTION:** Final rule.

**SUMMARY:** This document revises the delegations of authority from the Secretary of Agriculture in order to reflect the Secretary's designation of the Chief Financial Officer as the Department official responsible for establishing nonprocurement debarment and suspension policy on a Department-wide basis.

**EFFECTIVE DATE:** Effective March 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Gary W. Butler, Deputy Assistant General Counsel, General Law Division, Office of the General Counsel, Department of Agriculture, Room 2321-S, Washington, DC 20250, telephone 202-720-2577.

**SUPPLEMENTARY INFORMATION:** On June 23, 1997, the Secretary of Agriculture decided to designate the Chief Financial Officer as the official within the Department responsible for the development, promulgation, and coordination of Department-wide policy concerning nonprocurement debarment and suspension, as contained in 7 CFR part 3017. This decision was based on the fact that the Department has adopted a decentralized arrangement for the imposition of nonprocurement debarment and suspension actions. As a consequence, the Department lacks a helmsman to guide Department policy in this important area and to coordinate the Department's interaction with other agencies with respect to government-wide policy. This delegation of authority will implement that decision. This delegation, however, does not affect which officials may serve as the

"debarment official," as that term is defined at 7 CFR 3017.105.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rule making and opportunity for comment are not required and good cause is found that this rule may be made effective upon publication in the **Federal Register**.

Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Orders Nos. 12866 and 12988. In addition, this action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 605), and thus is exempt from the provisions of that Act. Finally, this action is not a rule as defined in 5 U.S.C. 804, and thus does not require review by Congress.

#### List of Subjects in 7 CFR Part 2

Authority delegations (Government agencies).

#### PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Accordingly, 7 CFR part 2 is amended as follows:

1. The authority citation for part 2 continues to read as follows:

**Authority:** Sec. 212(a), Pub. L. 103-354, 108 Stat. 3210, 7 U.S.C. 6912(a)(1); 5 U.S.C. 301; Reorganization Plan No. 2 of 1953, 3 CFR 1949-1953 Comp., p. 1024.

#### Subpart D—Delegations of Authority to Other General Officers and Agency Heads

2. Section 2.28 is amended by adding a new paragraph (b)(17) that reads as follows:

##### § 2.28 Chief Financial Officer.

(b) \* \* \*

(17) Develop, promulgate, and coordinate Department-wide policy concerning nonprocurement debarment and suspension, as contained in 7 CFR part 3017.

\* \* \* \* \*

Dated: February 27, 1998.

**Dan Glickman,**

*Secretary of Agriculture.*

[FR Doc. 98-5789 Filed 3-5-98; 8:45 am]

BILLING CODE 3410-01-U

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1496

RIN 0560-AF09

#### Procurement of Processed Agricultural Commodities for Donation Under Title II, Public Law 480

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule clarifies the regulations governing Commodity Credit Corporation's (CCC) procedures for purchasing processed agricultural commodities for donation overseas under Title II of the Agricultural Trade Development and Assistance Act of 1954 (Pub. L. 480), and implements recent amendments to the Merchant Marine Act, 1996, regarding shipments through Great Lakes ports.

**EFFECTIVE DATE:** This final rule will become effective April 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Jackson, Program Manager, USDA/FSA, Procurement and Donations Division, STOP 0551, 1400 Independence Avenue, SW., Washington, DC 20250-0551; telephone (202) 720-3995.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

This final rule has been determined to be significant for the purposes of Executive Order 12866 and therefore has been reviewed by the Office of Management and Budget (OMB).

##### Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of rulemaking with respect to the subject matter of this rule.

##### Paperwork Reduction Act

The amendments to 7 CFR part 1496 set forth in this final rule do not contain additional information collections that require clearance by OMB under the provisions of 44 U.S.C. Chapter 35, OMB Control Number 0560-0177, 5 CFR part 1320.