

meetings, the July 28, 1998, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This action imposes no additional reporting or recordkeeping requirements on either small or large Vidalia onion handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) The 1998-99 fiscal period begins on September 16, 1998, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable Vidalia onions handled during such fiscal period; (2) this action decreases the assessment rate for assessable Vidalia onions beginning with the 1998-99 and subsequent fiscal periods; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) this interim final rule provides a 60-day comment period, and all comments timely received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 955

Marketing agreements, Onions, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 955 is amended as follows:

PART 955—VIDALIA ONIONS GROWN IN GEORGIA

1. The authority citation for 7 CFR part 955 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. Section 955.209 is revised to read as follows:

§ 955.209 Assessment rate.

On and after September 16, 1998, an assessment rate of \$0.07 per 50-pound bag or equivalent is established for Vidalia onions.

Dated: September 21, 1998.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 98-25719 Filed 9-24-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 286

[INS No. 1923-98]

RIN 1115-AF26

Technical Change for Submission for Immigration User Fee Requirements

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Immigration and Naturalization Service (Service) regulations by making technical changes to the addressee where periodic summary statements of user fees collected are to be sent, and revising the name of the payee to whose attention remittances shall be forwarded. These technical changes are administrative in nature and are necessary to conform to the current organizational and supervisory structure of the Service's Office of Management.

DATES: This final rule is effective October 26, 1998.

FOR FURTHER INFORMATION CONTACT: Michael Ditkoff, Fee Policy and Rate-Setting Branch, Office of Budget, Immigration and Naturalization Service (INS), 425 I St., NW, Room 6240, Washington, DC 20536, telephone number (202) 305-8620.

SUPPLEMENTARY INFORMATION: This final rule amends 8 CFR part 286 to reflect the change in nomenclature, whereas the summary statements due on the last business day of the following month be forwarded to the Service's Chief, Analysis and Formulation Branch, in place of Fee Setting and Analysis

Branch. In addition, this final rule amends the name of the payee to whom the remittance shall be made from the Service's Associate Commissioner Finance, to Assistant Commissioner, Office of Financial Management.

The Service's implementation of this rule is based on the "good cause" exception found at 5 U.S.C. 553(d)(3). The amendments contained herein relate to agency management in that the amendments correct nomenclature changes published in previous rules. The reason and necessity for prompt implementation is to further ensure timely receipt of the periodic summary reports, remittances, and correspondence from the public. It would be contrary to the public interest to issue the rule as proposed rule in that it would further delay executing the nomenclature changes.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will have a significant economic impact on a substantial number of small entities because of the following factors: The technical changes addressed in this final rule are administrative in nature and are necessary to conform to the current organizational and supervisory structure of the Service's Office of Management. As such, the technical changes have no significant economic impact.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in a annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order 12612

The regulations proposed herein will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Executive Order 12988 Civil Justice Reform

This final rule meets the applicable standards set forth in sections 3(a) and 3(b) of E.O. 12988.

List of Subjects in 8 CFR Part 286

Immigration, Reporting and record keeping requirements.

Accordingly, part 286 of chapter 1 of title 8 of the Code of Federal Regulations is amended as follows:

PART 286—IMMIGRATION USER FEE

1. The authority citation for part 286 continues to read as follows:

Authority: 8 U.S.C. 1103, 1356; 8 CFR part 2.

§ 286.1 [Amended]

2. Section 286.1(e) is amended by revising the term "Associate Commissioner, Finance" to read "Assistant Commissioner, Office of Financial Management" and by revising the term "Office of the Associate Commissioner, Finance," to read "Office of the Assistant Commissioner, Financial Management,".

§ 286.2 [Amended]

3. Section 286.2(b) is amended in the third sentence by revising the phrase "Fee Analysis and Operations Branch" to read "Analysis and Formulation Branch".

§ 286.5 [Amended]

4. In § 286.5, paragraph (d) is amended by revising the term "Associate Commissioner, Finance, INS" to read "Assistant Commissioner, Office of Financial Management, INS".

§ 286.5 [Amended]

5. In § 286.5, paragraph (e) is amended by revising the term "Associate Commissioner, Finance" to read "Assistant Commissioner, Financial Management" wherever it appears in this paragraph.

§ 286.6 [Amended]

6. Section 286.6 is amended by revising the term "Associate Commissioner, Finance" to read "Assistant Commissioner, Office of Financial Management" wherever it appears in this section.

Dated: September 21, 1998.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 98-25712 Filed 9-24-98; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF THE TREASURY**Office of Thrift Supervision****12 CFR Parts 563, 563f and 574**

[No. 98-96]

RIN 1550-AB10

Agency Disapproval of Directors and Senior Executive Officers of Savings Associations and Savings and Loan Holding Companies

AGENCY: Office of Thrift Supervision, Treasury.

ACTION: Final rule.

SUMMARY: The Office of Thrift Supervision (OTS) is issuing a final rule to amend its regulations implementing section 32 of the Federal Deposit Insurance Act (FDIA). This statute requires certain savings associations and savings and loan holding companies to provide prior notice of the appointment or employment of directors and senior executive officers. The final rule will eliminate unnecessary regulatory burden, implement changes enacted in the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA), and more closely conform OTS regulations to those of the other banking agencies as required under section 303 of the Community Development and Regulatory Improvement Act of 1994 (CDRIA).

EFFECTIVE DATE: September 25, 1998.

FOR FURTHER INFORMATION CONTACT:

Frances C. Augello, Senior Counsel, Business Transactions Division, Chief Counsel's Office (202) 906-6151; Scott Ciardi, Financial Analyst, Corporate Activities Division, (202) 906-6960; or

Mary Jo Johnson, Project Manager, Supervision Policy (202) 906-5739, Office of Thrift Supervision, 1700 G Street, NW., Washington D.C. 20552.

SUPPLEMENTARY INFORMATION:**I. Background**

Section 32 of FDIA¹ requires certain savings associations and savings and loan holding companies to notify the OTS at least 30 days before adding any individual to the board of directors or employing an individual as a senior executive officer. Section 2209 of the EGRPRA² amended section 32 of the FDIA by changing the circumstances under which a notice must be filed. Section 2209 also provided that the OTS may have as long as 90 days to issue a notice of disapproval of the proposed addition of a director or employment of a senior executive officer.

On March 27, 1998 (63 FR 14844), the OTS published a notice of proposed rulemaking to: (1) amend its regulations implementing section 32 of FDIA to reflect the EGRPRA amendments, (2) eliminate unnecessary burden, and (3) in accordance with section 303 of the CDRIA,³ conform the proposed OTS rule generally to regulations that have been promulgated by the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (FRB), and the Federal Deposit Insurance Corporation (FDIC).⁴

In addition, the OTS rewrote the proposed rule using plain language drafting techniques promoted by the Vice President's National Performance Review Initiative and new guidance in the *Federal Register Document Drafting Handbook* (January 1997 edition).

II. Summary of Comments and Description of the Final Rule

The public comment period on the proposed rule closed on May 26, 1998. The OTS received two comments on its proposal. Commenters included one savings association and one trade association. One commenter expressed general support for the proposed rule, including the use of plain language, which it noted reduces regulatory burden and makes compliance easier. The other commenter also supported the rule, and suggested that the rule be clarified to specifically state that an individual seeking election to the board of directors of a savings association or savings and loan holding company, not

¹ 12 U.S.C. 1831i.

² Pub.L. 104-208, 110 Stat. 3009 (Sept. 30, 1996).

³ Pub. L. 103-325, 108 Stat. 2215 (Sept. 23, 1994).

⁴ (OCC) 61 FR 60341 (November 27, 1996); (FRB) 62 FR 9290 (February 28, 1997); (FDIC) 63 FR 44686 (August 20, 1998).