

amending 5 CFR Parts 317 and 335 (63 FR 34257) published on June 24, 1998, are adopted as final without any changes.

[FR Doc. 98-29768 Filed 11-5-98; 8:45 am]
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DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1499

RIN 0551-AA57

Foreign Donation of Agricultural Commodities

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: Commodity Credit Corporation (CCC) is issuing its final rule with respect to amendments to the regulations governing procedures for procuring ocean transportation for agricultural commodities provided under section 416(b) of the Agricultural Act of 1949 and the Food for Progress Act of 1985, published as an interim final rule in the **Federal Register** on February 23, 1998.

EFFECTIVE DATE: November 6, 1998.

FOR FURTHER INFORMATION CONTACT: Ira D. Branson, Director, Commodity Credit Corporation, Program Support Division, Foreign Agricultural Service, United States Department of Agriculture, 1400 Independence Avenue, S.W., Stop 1031; Washington, D.C. 20250-1031; telephone (202) 720-3573.

SUPPLEMENTARY INFORMATION: This final rule is issued in conformance with Executive Order 12866. Based on information compiled by the Department, it has been determined that this final rule:

- (1) Will have an annual effect on the economy of less than \$100 million;
- (2) Will not adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (3) Will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (4) Will not materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or rights and obligations of recipients thereof; and
- (5) Will not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or principles set forth in Executive Order 12866.

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

This final rule does not contain any information collection requirements that require OMB approval under the provisions of the Paperwork Reduction Act.

Executive Order 12372

This final rule is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with state and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 46 FR 29115 (June 24, 1983).

Executive Order 12988

This final rule has been reviewed under the Executive Order 12988, Civil Justice Reform. The final rule will have pre-emptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The final rule will not have retroactive effect. Administrative proceedings are not required before parties may seek judicial review.

On February 23, 1998, CCC published an interim final rule to amend the regulations applicable to donations under section 416(b) of the Agricultural Act of 1949, and the Food for Progress Program to be consistent with the new title I, Pub. L. 480 requirements. In particular, the final interim rule deleted the prohibition in § 1499.8(b)(4) against "clarification or submission of additional information" under competitive freight invitations for bids and updated a cross reference to the title I, Pub. L. 480 regulations regarding information and certifications required from prospective shipping agents. CCC did not receive any comments regarding the interim final rule.

List of Subjects in 7 CFR part 1499

Agricultural commodities, Exports, Foreign aid.

Accordingly, the interim rule amending 7 CFR part 1499 which was published at 63 FR 8837 on February 23,

1998, is adopted as a final rule without change.

Christopher E. Goldthwait,

General Sales Manager, FAS, and Vice President, Commodity Credit Corporation.

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DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1499

RIN 0551-AA56

Foreign Donation of Agricultural Commodities

AGENCY: Commodity Credit Corporation, USDA

ACTION: Final rule.

SUMMARY: This rule amends Commodity Credit Corporation (CCC) regulations governing foreign donations of agricultural commodities. This rule contains changes, corrections and clarifications to the regulations to achieve more effective management of foreign donations of agricultural commodities.

EFFECTIVE DATE: November 6, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Ira D. Branson, Director, Commodity Credit Corporation Program Support Division, Foreign Agricultural Service, United States Department of Agriculture, 1400 Independence Ave., S.W., Stop 1031; Washington, D.C. 20250-1031; telephone (202) 720-3573.

SUPPLEMENTARY INFORMATION: This rule is issued in conformance with Executive Order 12866. Based on information compiled by the Department, it has been determined that this rule:

- (1) Will have an annual effect on the economy of less than \$100 million;
- (2) Will not adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (3) Will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (4) Will not materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or rights and obligations of recipients thereof; and
- (5) Will not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or principles set forth in Executive Order 12866.