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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 950

RIN 3206-A153

Authorization of Solicitations During the Combined Federal Campaign

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final rule giving the Director the discretion to authorize solicitations upon written request during the Combined Federal Campaign (CFC). In extraordinary circumstances, solicitations in support of victims in cases of emergencies or disasters may be approved. The intended effect of this rule is to enable the Federal workforce to respond to emergencies or disasters of catastrophic proportions which may occur during the CFC.

DATES: Final rule effective: June 18, 1999.

FOR FURTHER INFORMATION CONTACT: Becky Kumar, Office of General Counsel, Office of Personnel Management, (202) 606-2885.

SUPPLEMENTARY INFORMATION: The devastation in Central America caused by Hurricane Mitch in late October and early November of 1998 resulted in over 10,000 deaths and destroyed the homes and communities of many thousands more. This tragedy provided the impetus for OPM to review its regulations governing the solicitation of the Federal workforce and to conclude that there is a need for further flexibility in its regulations in order to respond to emergencies and disasters of catastrophic proportions.

The CFC regulations prohibit solicitations of the Federal workforce apart from those conducted as part of

the Combined Federal Campaign. The CFC was designed to be the one concentrated period during which Federal employees may be solicited to contribute to all eligible organizations. The rationale for limiting the CFC to a single period during the year is to provide Federal employees with a means of contributing to a wide variety of worthy voluntary organizations, but to accomplish this with minimal disruption to the work of the Government.

The regulations contain an exception for solicitations requested in writing on behalf of victims of emergencies and disasters, with the limitation that no such solicitations may occur between September 1 to December 15, the period of the CFC. In our review of this matter, we have determined that, on rare occasions, it may be necessary to authorize a solicitation during this time period. Natural disasters are not subject to time constraints, and extraordinary occurrences may necessitate extraordinary relief measures. OPM believes that this time period is of continuing concern in the future, since, according to the National Oceanic and Atmospheric Administration, the Atlantic hurricane season runs from June 1 through November 30 each year and the Pacific hurricane season runs from May 15 through November 30. Both of these periods overlap with the CFC.

On November 30, 1998, OPM published an interim rule allowing the Director to authorize solicitations during the CFC for victims of disasters or emergencies, upon written request and a showing of extraordinary circumstances. The interim rule provided a 30-day period for public comment. OPM received no comments during the comment period. Therefore, the interim rule is being adopted as the final rule.

Regulatory Flexibility Act

I certify that these regulations would not have a significant economic impact on a substantial number of small entities because they would only apply to Federal agencies and employees.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 5 CFR Part 950

Administrative practice and procedure, Charitable contributions, Government employees, Military personnel, Nonprofit organizations.

Accordingly, under the authority of E.O. 12353, 47 FR 12785 (1982), the interim rule amending 5 CFR part 950, published on November 30, 1998 (63 FR 65637), is adopted as final without any changes.

Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 99-12551 Filed 5-18-99; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

10 CFR Part 490

RIN 1904-AB-00

[Docket No. EE-RM-99-BIOD]

Alternative Fuel Transportation Program; Biodiesel Fuel Use Credit

AGENCY: Department of Energy.

ACTION: Interim final rule and opportunity for public comment.

SUMMARY: The Department of Energy (DOE) is today publishing an interim final rule required by the Energy Conservation Reauthorization Act of 1998 (ECRA), which amended Title III of the Energy Policy Act of 1992 (EPACT) to allow fleets that are required to purchase alternative fueled vehicles under Titles III, IV and V of EPACT to meet these requirements, in part, through the use of biodiesel fuel use credits. The rule establishes procedures for fleets and covered persons to request credits for specified biodiesel fuel use and implements ECRA's credit eligibility and allocation provisions. By publishing this rule, DOE is giving fleets and covered persons, who are otherwise required under EPACT to purchase an alternative fueled vehicle, the option of purchasing and using 450 gallons of biodiesel in vehicles in excess of 8,500 lbs. gross vehicle weight instead of acquiring an alternative fueled vehicle.

DATES: This interim final rule is effective June 18, 1999. DOE will