

to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires FNS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule. This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector of \$100 million or more in any one year. Thus, this direct final rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Executive Order 12372

This program is listed in the Catalog of Federal Domestic Assistance under 10.557. For the reasons set forth in 7 CFR Part 3015, Subpart V and the final rule-related notice published at 48 FR 29115, June 24, 1983, this program is included in the scope of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

Paperwork Reduction Act of 1995

This final rule contains no new information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). The existing recordkeeping and reporting requirements, which were approved by OMB under control number 0584-0045, will not change as a result of this final rule.

Executive Order 12988

This direct final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is intended to have preemptive effect with respect to any State or local laws, regulations, or policies which conflict with its provisions or which would otherwise impede its full implementation. This rule is not intended to have retroactive effect unless so specified in the **EFFECTIVE DATE** section of the preamble. Prior to any judicial challenge to the application of the provisions of this rule, all applicable administrative procedures must be exhausted.

List of Subjects in 7 CFR Part 246

Administrative practice and procedure, Civil rights, Food assistance programs, Food and Nutrition Service, Food donations, Grant programs—health, Grant programs—social programs, Indians, Infants and children, Maternal and child health, Nutrition, Nutrition education, Penalties,

Reporting and recordkeeping requirements, Public assistance programs, WIC, Women.

Accordingly, 7 CFR Part 246 is amended as follows:

PART 246—SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN

1. The authority citation for Part 246 continues to read as follows:

Authority: 42 U.S.C. 1786.

§ 246.16 [Amended]

2. In § 246.16, amend the introductory text of paragraph (d) as follows:

- a. in the second sentence, remove the word “monthly” and add in its place the word “quarterly”;
- b. in the third sentence, remove the words “each month” and add in their place the words “as they are submitted”.

Dated: October 29, 1999.

Samuel Chambers, Jr.,
Administrator, Food and Nutrition Service.
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FEDERAL HOUSING FINANCE BOARD

12 CFR Part 905

[No. 99-54]

RIN 3069-AA81

Availability of Unpublished Information

AGENCY: Federal Housing Finance Board.

ACTION: Final rule.

SUMMARY: The Federal Housing Finance Board (Finance Board) is adopting without change as a final rule the interim final rule that added a new part 905 to its regulations governing the availability of unpublished information. The final rule describes the procedures a person or entity must follow when requesting unpublished Finance Board information either by document or by testimony of current or former Finance Board employees or agents and the practices and procedures the Finance Board will use in responding to such requests.

EFFECTIVE DATE: The final rule will become effective on December 9, 1999.

FOR FURTHER INFORMATION CONTACT:

Janice A. Kaye, Attorney-Advisor, Office of General Counsel, by telephone at 202/408-2505, by electronic mail at kayej@fhfb.gov, or by regular mail at the Federal Housing Finance Board, 1777 F Street, NW, Washington, DC 20006.

SUPPLEMENTARY INFORMATION:

I. Background

In August 1999, the Finance Board published an interim final rule with request for comments that added a new part 905 to its regulations. See 64 FR 44103 (August 13, 1999), *codified* at 12 CFR part 905. Part 905 establishes procedures that must be followed by persons or entities requesting unpublished Finance Board information either by document or by testimony of current or former Finance Board employees or agents, and practices and procedures the Finance Board will use in responding to such requests. The 60-day public comment period for the interim final rule closed on October 12, 1999. See *id.*

II. Analysis of Public Comments and the Final Rule

The Finance Board received no comments in response to the interim final rule. Thus, for the reasons set forth in detail in the interim final rulemaking, the Finance Board is adopting the interim final rule that added part 905 to govern the availability of unpublished information as a final rule without change.

III. Regulatory Flexibility Act

The Finance Board adopted part 905 in the form of an interim final rule and not as a proposed rule. Therefore, the provisions of the Regulatory Flexibility Act do not apply. See 5 U.S.C. 601(2) and 603(a).

IV. Paperwork Reduction Act

The final rule does not contain any collections of information pursuant to the Paperwork Reduction Act of 1995. See 44 U.S.C. 3501 *et seq.* Consequently, the Finance Board has not submitted any information to the Office of Management and Budget for review.

List of Subjects in 12 CFR Part 905

Confidential business information, Federal home loan banks, Freedom of information, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Finance Board hereby adopts the interim final rule adding 12 CFR part 905 that was published at 64 FR 44103 on August 13, 1999, as a final rule without change.

By the Board of Directors of the Federal Housing Finance Board.

Dated: November 1, 1999.

Bruce A. Morrison,
Chairperson.

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