

# Rules and Regulations

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Parts 831 and 842

RIN 3206-A125

#### Voluntary Early Retirement Authority; Correction

**AGENCY:** Office of Personnel Management.

**ACTION:** Interim rule; correction.

**SUMMARY:** The Office of Personnel Management (OPM) is correcting the date section of an interim rule published October 4, 1999 (64 FR 53581), and the technical amendment to those interim regulations issued December 27, 1999 (64 FR 72256) to indicate that the correct effective date is October 1, 1999. The interim rule and technical amendment did not correctly state the effective date of two sections and failed to remove the sunset date. This document corrects that error.

**DATES:** These regulations are effective October 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Charles Gray at (202) 606-0960, FAX (202) 606-2329, e-mail [cwgray@opm.gov](mailto:cwgray@opm.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 4, 1999, OPM published interim regulations (64 FR 53581) which amended 5 CFR 831.114 and 842.213 consistent with the section 651, Public Law 106-58 (113 Stat. 430, September 29, 1999). The October 4, 1999, interim regulations were published to remove the September 30, 1999, expiration date included in 5 CFR 831.114 and 842.213, allowing continuity of operation of the voluntary early retirement program as provided by Public Law 106-58.

However, because these regulations were published with an effective date after October 1, 1999 (*i.e.*, October 4,

1999), the interim regulations did not effectively remove the sunset date. This document corrects that error and ensures continuity of operations of voluntary early retirement regulations, programs, and authorities.

#### Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities (including small businesses, small organizational units, and small governmental jurisdictions) because the regulations only affect Federal employees.

#### Waiver of Notice of Proposed Rulemaking and 30-Day Delay of Effective Date

Pursuant to 5 U.S.C. 553(b)(3)(B), I find that good cause exists for waiving the general notice of proposed rulemaking because it would be contrary to the public interest. Also, pursuant to 5 U.S.C. 553(d)(3), I find that good cause exists to make this amendment effective in less than 30 days. The general notice of proposed rulemaking and delay in the effective date are being waived because the corrected effective date for these interim regulations allows OPM to fully implement statutory language in Sec. 651 of Public Law 106-58 governing voluntary early retirements which was effective May 1, 1998, and to give full effect to benefits extended by that statute.

In interim rule FR Doc. 99-25707 published October 4, 1999 (64 FR 53581), make the following correction:

1. The **DATES** section is revised to read as follows:

**DATES:** Effective October 1, 1999. This regulation removes the sunset dates for §§ 831.114 and 842.213. Comments must be received by December 3, 1999.

In interim rule FR Doc. 99-33365 published December 27, 1999 (64 FR 72256), make the following correction:

1. The **DATES** section is revised to read as follows:

**DATES:** These regulations are effective October 1, 1999.

U.S. Office of Personnel Management.

**Janice R. Lachance,**  
*Director.*

[FR Doc. 00-1060 Filed 1-13-00; 8:45 am]

**BILLING CODE 6325-01-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 966

[Docket No. FV99-966-1 FIR]

#### Tomatoes Grown in Florida; Decreased Assessment Rate

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Department of Agriculture (Department) is adopting, as a final rule, without change, the provisions of an interim final rule which decreased the assessment rate established for the Florida Tomato Committee (Committee) for the 1999-2000 and subsequent fiscal periods from \$0.03 per 25-pound container to \$0.025 per 25-pound container of tomatoes handled. The Committee is responsible for local administration of the marketing order which regulates the handling of tomatoes grown in Florida. Authorization to assess tomato handlers enables the Committee to incur expenses that are reasonable and necessary to administer the program. The fiscal period began August 1 and ends July 31. The assessment rate will remain in effect indefinitely unless modified, suspended, or terminated.

**EFFECTIVE DATE:** February 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** Doris Jamieson, Southeast Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 2276, Winter Haven, FL 33883-2276; telephone: (863) 299-4770, Fax: (863) 299-5169; or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-2491, Fax: (202) 720-5698.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456; telephone (202) 720-2491, Fax: (202) 720-5698, or E-mail: [Jay.Guerber@usda.gov](mailto:Jay.Guerber@usda.gov).

**SUPPLEMENTARY INFORMATION:** This rule is issued under Marketing Agreement