

Rules and Regulations

Federal Register

Vol. 62, No. 192

Friday, October 3, 1997

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-A104

Prevailing Rate Systems; Abolishment of the Orlando, Florida, Appropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing an interim rule to remove the requirement that a full-scale wage survey be conducted in the Orlando, Florida, Federal Wage System appropriated fund wage area in September 1997.

DATES: This interim rule is effective on September 30, 1997. Comments must be received on or before November 3, 1997.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Policy, Human Resources Systems Service, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415, or FAX: (202) 606-0824.

FOR FURTHER INFORMATION CONTACT: Mark A. Allen, (202) 606-2848.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management is issuing the first of two interim rules to abolish the Orlando, Florida, appropriated fund wage area. The Orlando wage area is currently composed of Orange, Osceola, Seminole, and Volusia Counties in Florida. Because of the pending closure of the Orlando Naval Training Station, the Department of Defense, the lead agency for the Orlando wage area, is unable to conduct the wage survey that is scheduled to begin in the Orlando wage area in September 1997. This interim rule removes the requirement that a full-scale wage survey be

conducted in the Orlando wage area in September 1997. The appropriate disposition of the four counties of the Orlando wage area is currently under consideration by the Federal Prevailing Rate Advisory Committee. Once the Committee has completed its discussions, an additional interim rule will be published to move those four counties to another wage area.

The Federal Prevailing Rate Advisory Committee reviewed this recommendation and by consensus recommended approval.

Waiver of Notice of Proposed Rulemaking and Delayed 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. Also, pursuant to section 553(d)(3) of title 5, United States Code, I find that good cause exists for making this rule effective in less than 30 days. The notice is being waived and the regulation is being made effective in less than 30 days so that advance preparations otherwise required for the 1997 Orlando wage area survey may be canceled.

Regulatory Flexibility Act

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

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

Office of Personnel Management.

Janice R. Lachance,

Acting Director.

Accordingly, OPM is amending 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

Appendix A to Subpart B of Part 532— [Amended]

2. Appendix A to subpart B is amended by removing the entry for

Orlando in the listing for the State of Florida.

[FR Doc. 97-26217 Filed 10-2-97; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

7 CFR Part 0

Employee Responsibilities and Conduct

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (Department) is repealing its internal standards of conduct regulations as part of the National Performance Review (NPR) program to eliminate unnecessary regulations.

EFFECTIVE DATE: These regulations are effective October 3, 1997.

FOR FURTHER INFORMATION CONTACT: David L. Spradlin, Program Manager for Employee Relations, Office of Human Resources Management, U.S. Department of Agriculture, Room 18-W—Stop 9601, 1400 Independence Avenue, SW., Washington, D.C. 20250-9601, telephone (202) 720-3327.

SUPPLEMENTARY INFORMATION:

I. Background

Removal of 7 CFR Part 0 promotes the goal of the NPR to reduce the number of Federal regulations. Also, the Department employee responsibilities and conduct regulations largely have been superseded by the Office of Government Ethics (OGE) executive branch financial disclosure regulations at 5 CFR Part 2634, "Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture," and by the executive branch-wide standards at 5 CFR Part 2635, "Standards of Ethical Conduct for Employees of the Executive Branch." Therefore, the Department is repealing all of existing 7 CFR Part 0.

II. Matters of Regulatory Procedure

Administrative Procedure Act

The Department has found that good cause exists under 5 U.S.C. 553 for waiving, as unnecessary and contrary to public interest, the general notice of proposed rulemaking and the 30-day delay in effectiveness as to this final rule. This rulemaking is related to Department personnel.

Congressional Review

The Department has found that this rulemaking is not a rule as defined in 5 U.S.C. 804 and does not require review by Congress. This rulemaking is related to Department personnel.

Executive Order 12866

Since this rule relates to Personnel, it is exempt from the provision of Executive Order 12866.

Regulatory Flexibility Act

The Department has determined under the Regulatory Flexibility Act (5 U.S.C. Chapter 6) that this regulation will not have a significant economic impact on a substantial number of small entities because it affects only Department employees.

Paperwork Reduction Act

The Department has determined that the Paperwork Reduction Act (44 U.S.C. Chapter 35) does not apply because this regulation does not contain any information collection requirements that require the approval of the Office of Management and Budget.

Environmental Impact

This decision will not have a significant impact upon the quality of the human environment or the conservation of energy resources.

Dated: September 24, 1997.

Dan Glickman,

Secretary of Agriculture.

For the reasons set forth in the preamble, the Department is amending Title 7, Subtitle A, of the Code of Federal Regulations as follows:

TITLE 7—[AMENDED]**SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE****PART 0—[REMOVED]**

Part 0 of 7 CFR Subtitle A is removed.

[FR Doc. 97-26216 Filed 10-2-97; 8:45 am]

BILLING CODE 3410-01-M

DEPARTMENT OF AGRICULTURE**Commodity Credit Corporation****7 CFR Part 1422**

RIN 0560-AF04

Standards for Approval of Cold Storage Warehouses for Peanuts

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: This final rule removes obsolete regulations pertaining to

approval of cold storage warehouses for peanuts under the peanut price support program. The Commodity Credit Corporation (CCC) no longer uses cold storage warehouses for peanuts owned by CCC or held by CCC as security for price support loans.

EFFECTIVE DATE: October 3, 1997.

FOR FURTHER INFORMATION CONTACT: David Kincannon, Farm Service Agency, United States Department of Agriculture, STOP 0514, 1400 Independence Avenue, SW, Washington, DC 20250-0514; or telephone (202) 720-7914.

SUPPLEMENTARY INFORMATION:**Executive Order 12866**

This rule has been determined to be not significant for the purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since the CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of final or proposed rulemaking with respect to the subject matter of these determinations.

Environmental Evaluation

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Executive Order 12988

This final rule has been reviewed in accordance with Executive Order 12988. The provisions of the final rule do not preempt State laws, are not retroactive, and do not involve administrative appeals.

Executive Order 12372

This program/activity 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 48 FR 29115 (June 24, 1983).

Paperwork Reduction Act

The amendments to 7 CFR part 1422 set forth in this final rule do not contain information collections that require clearance by the OMB under the provisions of 44 U.S.C. 35.

Background

This final rule removes 7 CFR part 1422 pertaining to the peanut price support program. CCC no longer stores peanut stocks it owns or controls in cold storage warehouses. Therefore, the regulations are obsolete. If cold storage becomes needed, such storage can be controlled by contract. Because this action involves the removal of obsolete regulations and does not affect the interests of any member of the public, this rule is being made effective immediately. Delaying the rule for comment is unnecessary and would be contrary to the public interest.

List of Subjects in 7 CFR Part 1422

Peanuts, Price support and purchase programs, Warehouses.

Accordingly, under the authority of 7 U.S.C. 2202 and 7 CFR 2.65(a)(14), 7 CFR Part 1422 is removed.

Signed at Washington, DC, on September 26, 1997.

Bruce R. Weber,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 97-26301 Filed 10-2-97; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF JUSTICE**Immigration and Naturalization Service****Executive Office for Immigration Review****8 CFR Part 240**

[EOIR No. 118I; AG Order No. 2118-97]

RIN: 1125-AA19

Suspension of Deportation and Cancellation of Removal

AGENCY: Immigration and Naturalization Service, Justice, and Executive Office for Immigration Review, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: This rule amends the regulations of the Executive Office for Immigration Review (EOIR) and Immigration and Naturalization Service (Service) by establishing a procedure for processing suspension of deportation and cancellation of removal and adjustment of status cases. This rule is a partial and transitional measure to implement provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) relating to suspension of deportation and cancellation of removal. This transitional policy will be reevaluated after the Department determines how