

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]

BILLING CODE 6325-01-P

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.

[FR Doc. 98-29726 Filed 11-5-98; 8:45 am]

BILLING CODE 3410-10-P

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.

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

The information collection requirements imposed by this rule has been previously submitted to the Office of Management and Budget (OMB) under the paperwork Reduction Act of 19980 (44 U.S.C. Chapter 35). OMB has assigned control number 0551-0035 for this information collection. This final rule change does not require collection of additional information; however, the final rule includes a requirement to use new forms for the semiannual logistic and monetization reports. These report forms have been submitted to OMB for review.

Executive Order 12372

This 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 rule has been reviewed under the Executive Order 12988, Civil Justice Reform. The 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 rule will not have retroactive effect. Administrative proceedings are not required before parties may seek judicial review.

Background

On February 23, 1998, CCC published a notice of proposed rulemaking 63 FR 8879, regarding the donation of agricultural commodities under section 416(b) of the Agricultural Act of 1949 and the Food for Progress Act of 1985 appear at 7 CFR Part 1499. That notice proposed changes to address certain issues that have arisen since the regulations were first published on November 29, 1996, and additionally, make non-substantive corrections. CCC did not receive any comments on the proposed rule and is adopting the proposed rule without change.

List of Subjects in 7 CFR Part 1499

Agricultural commodities, Exports, Foreign aid.

Accordingly, Part 1499 of Title 7 of the Code of Federal Regulations is amended as follows:

PART 1499—FOREIGN DONATION PROGRAMS

1. The authority citation for Part 1499 continues to read as follows:

Authority: 7 U.S.C. 1431 (b); 7 U.S.C. 17360; E.O. 12752

§ 1499.1 [Amended]

2. Section 1499.1 is amended by removing—KCFMO—Kansas City Financial Management Office” and adding, in its place, “KCMO/DMD—Kansas City Management Office/Debt Management Division.”

3. Section 1499.7(e) is amended by revising the third and fourth sentences to read as follows:

§ 1499.7 Apportionment of costs and advances.

* * * * *

(e) * * * The non-government Cooperating Sponsor may make adjustments between line items of an approved Program Operations Budget up to 20 percent of the total amount approved or \$5,000, whichever is less without any further approval. Adjustments beyond these limits must be specifically approved by the Director, PDD.

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§ 1499.7 [Amended]

4. Section 1499.7 (i) is amended by deleting “Director, CCCPSD” and adding in its place, “Director, PDD.”

5. In section 1499.8, the introductory text of paragraph (b) and the headings of paragraph (g) and (g)(1) are revised, paragraph (g)(1)(vii) is redesignated as paragraph (g)(viii), and new paragraph (g)(1)(vii) and (g)(1)(ix) are added to read as follows:

§ 1499.8 Ocean transportation.

* * * * *

(b) *Freight procurement requirements.* When CCC is financing any portion of the ocean freight, whether on U.S.-flag or non-U.S. flag vessels, and the Cooperating Sponsor arranges ocean transportation:

* * * * *

(g) Documents required for payment of freight—(1) General rule. * * *

* * * * *

(vii) For all liner cargoes, a copy of the tariff page.

* * * * *

(ix) Each request to CCC for payment must provide a document, on letterhead and signed by an official or agent of the requester, the name of the entity to

receive payment, the bank ABA number to which payment is to be made; the account number for the deposit at the bank; the requester's taxpayer identification number; and the type of the account into which funds will be deposited.

* * * * *

§ 1499.8 [Amended]

6. In section 1499.8, paragraph (g) is amended by deleting “One copy” wherever it appears and adding “One signed copy” in its place, and paragraph (g)(vi) is amended by deleting “a notice” and adding, in its place, “a signed notice.”

7. Section 1499.10 is amended by adding a new paragraph (d) to read as follows:

§ 1499.10 Restrictions on commodity use and distribution.

* * * * *

(d) In the event that its participation in the program terminates, the non-government cooperating sponsor will safeguard any undistributed commodities and sales proceeds and dispose of such commodities and proceeds as directed by CCC.

§ 1499.14 [Amended]

8. Section 1499.14(b)(2) is amended by deleting “KCFMO” and adding, in its place “KCMO/DMD.”

9. Section 1499.15, is amended by removing “KCFMO” wherever it appears and adding, in its place “KCMO/DMD”, revising the last sentence of paragraphs § 1499.15(d)(2) and (f)(3) and adding paragraphs (d)(2)(i) through (d)(2)(vi) to read as follows:

§ 1499.15 Liability for loss, damage, or improper distribution of commodities—claims and procedures.

* * * * *

(d) * * *

(2) * * * In the event of a declaration General Average:

(i) The Cooperating Sponsor shall assign all claim rights to CCC and shall provide CCC all documentation relating to the claim, if applicable;

(ii) CCC will be responsible for settling general average and marine salvage claims;

(iii) CCC has sole authority to authorize any disposition of commodities which have not commenced ocean transit or of which the ocean transit is interrupted;

(iv) CCC will receive and retain any monetary proceeds resulting from such disposition;

(v) CCC will initiate, prosecute, and retain all proceeds of cargo loss and

damage against ocean carriers and any allowance in general average; and

(vi) CCC will pay any general average or marine salvage claims determined to be due.

* * * * *

(f) * * *

(3) * * * If the Agricultural Counselor or Attache approves a Cooperating Sponsor's decision not to take further action on the claim, the Cooperating Sponsor shall assign the claim to CCC and shall forward all documentation relating to the claim to KCMO/DMD.

* * * * *

10. In section 1499.16, the second and third sentences of paragraph (c)(1) introductory text and the second and third sentences of paragraph (c)(2) introductory text are revised to read as follows:

§ 1499.16 Records and reporting requirements.

* * * * *

(c) *Reports.* (1) * * * Cooperating sponsors must submit reports on Form CCC-620 and submit the first report by May 16 for agreements signed during the period, October 1 through March 31, or by November 16 for agreements signed during the period, April 1 through September 30. The first report must cover the time period from the date of signing and subsequent reports must be provided at six months intervals covering the period from the due date of the last report until all commodities have been distributed or sold and such distribution or sale reported to CCC. * * *

* * * * *

(2) * * * Cooperating Sponsors must submit reports on Form CCC-621 and submit the first report by May 16 for agreements signed during the period, October 1 through March 31, or by November 16 for agreements signed during the period, April 1 through September 30. The first report must cover the time period from the date of signing and subsequent reports must be provided at six months intervals covering the period from the due date of the last report until all funds generated from commodity sales have been distributed and such distribution reported to CCC. * * *

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Christopher E. Goldthwait,

General Sales Manager, FAS, and Vice President, Commodity Credit Corporation.
[FR Doc. 98-29725 Filed 11-5-98; 8:45 am]

BILLING CODE 3410-10-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 94-AWA-1]

RIN 2120-AA66

Modification of Phoenix Class B Airspace Area, AZ

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** on October 30, 1998 (Airspace Docket 94-AWA-1). In that rule, the legal description inadvertently contained an error in the longitudinal coordinates in Area D. This action corrects that error.

EFFECTIVE DATE: November 6, 1998.

FOR FURTHER INFORMATION CONTACT: William C. Nelson, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; Telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION: **Federal Register** Document 98-29148, Airspace Docket No. 94-AWA-1, published on October 30, 1998 (63 FR 58291), modified the Phoenix Class B airspace area. However, the legal description for Area D of the Phoenix Class B airspace area inadvertently contained an error in the longitudinal coordinates. This action corrects that error.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the Phoenix Class B airspace area, published in the **Federal Register** on October 30, 1998 (63 FR 58296); **Federal Register** Document 98-29148, and incorporated by reference in 14 CFR 71.1, is corrected as follows:

§ 71.1 [Corrected]

On page 58296, in the third column, paragraph Area D, lines 12 and 13, correct the longitudinal coordinates for Valley Road to read: "(Lat. 33°13'10" N., long. 112°09'58" W.),"

Issued in Washington, DC, on November 2, 1998.

Nancy B. Kalinowski,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 98-29778 Filed 11-5-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 29381; Amdt. No. 1899]

RIN 2120-AA65

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAP's) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAP's, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420),