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DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Economic Research Service

7 CFR Part 3700

Revision of Delegations of Authority and Revision of Organizations and Functions

AGENCY: Office of the Secretary and Economic Research Service, Department of Agriculture.

ACTION: Final rule.

SUMMARY: This document revises the delegations of authority from the Secretary of Agriculture and general officers of the Department in order to delegate to the Chief Economist and the Director of Office of Energy Policy and New Uses, the authority to advise the Office of the Secretary on energy matters, to coordinate energy-related activities within the Department, to serve as liaison with other Departments on energy issues, and to conduct a program on the economic feasibility on new uses of agricultural products; and removes these authorities from the delegations made to the Under Secretary for Research, Education, and Economics, the Administrator of Economic Research Service, and the Director of the Office of Energy and New Uses.

EFFECTIVE DATE: Effective July 28, 1999.

FOR FURTHER INFORMATION CONTACT: Betty L. Ollila, Deputy Assistant General Counsel, General Law Division, Office of the General Counsel, Department of Agriculture, Room 1457-S, Washington, D.C. 20250, telephone 202-720-5824.

SUPPLEMENTARY INFORMATION: Pursuant to Title VI, Section 602 of the Agricultural Research, Extension, and Education Reform Act of 1998, Public Law 105-185, 112 Stat. 523, an Office of

Energy Policy and New Uses was established. The Office of Energy Policy and New Uses provides policy advice for the Office of the Secretary on energy matters, coordinates energy-related activities within the Department, serves as liaison with other Departments on energy issues, and conducts a program on the economic feasibility on new uses of agricultural products.

The delegations of authority of the Department of Agriculture are amended to delegate to the Chief Economist the authority vested in the Secretary to provide policy advice for the Office of the Secretary on energy matters, to coordinate energy-related activities within the Department, to serve as liaison with other Departments on energy issues, and to conduct a program on the economic feasibility on new uses of agricultural products.

Prior delegations of authority by the Secretary to the Under Secretary for Research, Education, and Economics, and by the Under Secretary for Research, Education, and Economics to the Administrator, Economic Research Service, and by the Administrator, Economic Research Service to the Director, Office of Energy and New Uses to provide advice for the Office of the Secretary on energy matters, to coordinate energy-related activities within the Department, to serve as liaison with other Departments on energy issues, and to conduct a program on the economic feasibility on new uses of agricultural products are removed. These delegations exclude the energy management actions related to the internal operations of the Department as delegated to the Assistant Secretary for Administration.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rule making and opportunity for comment are not required and good cause is found that this rule may be made effective upon publication in the **Federal Register**.

Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order Nos. 12866 and 12988. In addition, this action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), and thus is exempt from the provisions of that Act. Finally, this action is not a rule as

defined in 5 U.S.C. 801, and thus does not require review by Congress.

List of Subjects

7 CFR Part 2

Authority delegations (Government agencies).

7 CFR Part 3700

Organization and functions (Government agencies).

Accordingly, 7 CFR parts 2 and 3700 are amended as set forth below:

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

1. The authority citation for part 2 continues to read as follows:

Authority: Sec. 212(a), Pub. L. 103-354, 108 Stat. 3210, 7 U.S.C. 6912(1)(1); 5 U.S.C. 301; Reorganization Plan No. 2 of 1953, 3 CFR, 1949-1953 Comp., p. 1024.

Subpart C—Delegations of Authority to the Deputy Secretary, the Under Secretaries and Assistant Secretaries

2. Section 2.21, paragraph (a)(9) is removed and paragraph (a)(10) is redesignated as paragraph (a)(9).

Subpart D—Delegations of Authority to Other General Officers and Agency Heads

3. Section 2.29 is amended by adding a new paragraph (a)(11) to read as follows:

§ 2.29 Chief Economist.

(a) * * *

(11) (*Related to energy.*) (i) Advise the Secretary and other policy-level officials of the Department on energy policies and programs, including legislative and budget proposals.

(ii) Serve as or designate the Department representative at hearings, conferences, meetings and other contacts with respect to energy and energy-related matters, including liaison with the Department of Energy, the Environmental Protection Agency and other governmental agencies and departments.

(iii) Enter into contracts, grants, or cooperative agreements to further research programs in the food and agriculture sciences (7 U.S.C. 3318).

(iv) Enter into cost-reimbursable agreements relating to agricultural research (7 U.S.C. 3319a).

(v) Provide Department leadership in:

(A) Analyzing and evaluating existing and proposed energy policies and strategies, including those regarding the allocation of scarce resources;

(B) Developing energy policies and strategies, including those regarding the allocation of scarce resources;

(C) Reviewing and evaluating Departmental energy and energy-related programs and programs progress;

(D) Developing agricultural and rural components of national energy policy plans; and

(E) Preparing reports on energy and energy-related policies and programs required under Acts of Congress and Executive orders, including those involving testimony and reports on legislative proposals.

(vi) Provide Departmental oversight and coordination with respect to resources available for energy and energy-related activities, including funds transferred to USDA from other departments or agencies of the Federal Government pursuant to interagency agreements.

* * * * *

Subpart L—Delegations of Authority by the Chief Economist

4. Section 2.73 is added to read as follows:

§ 2.73 Director, Office of Energy Policy and New Uses.

(a) Delegations. Pursuant to § 2.29(a)(11), the following delegations of authority are made by the Chief Economist to the Director, Office of Energy Policy and New Uses:

(1) Providing Department leadership in:

(i) Analyzing and evaluating existing and proposed energy policies and strategies, including those regarding the allocation of scarce resources;

(ii) Developing energy policies and strategies, including those regarding the allocation of scarce resources;

(iii) Reviewing and evaluating Departmental energy and energy-related programs and program progress;

(iv) Developing agricultural and rural components of national energy policy plans;

(v) Preparing reports on energy and energy-related policies and programs required under Act of Congress and Executive Orders, including those involving testimony and reports on legislative proposals.

(2) Providing Departmental oversight and coordination with respect to

resources available for energy and energy-related activities, including funds transferred to USDA from departments and agencies of the Federal Government pursuant to interagency agreements.

(3) Representing the Chief Economist at conferences, meetings, and other contacts where energy matters are discussed, including liaison with the Department of Energy, the Environmental Protection Agency, and other governmental departments and agencies.

(4) Providing the Chief Economist with such assistance as requested to perform the duties delegated to the Director concerning energy and new uses.

(5) Working with the Office of the Assistant Secretary for Congressional Relations to maintain Congressional and public contacts in energy matters, including development of legislative proposals, preparation of reports on legislation pending in congress, appearances before Congressional committees, and related activities.

(6) These delegations exclude the energy management actions related to the internal operations of the Department as delegated to the Assistant Secretary for Administration.

(7) Conduct a program on the economic feasibility of new uses of agricultural products. Assist agricultural researchers by evaluating the economic and market potential of new agricultural products in the initial phase of development and contributing to prioritization of the Departmental research agenda.

(b) [Reserved]

Subpart K—Delegations of Authority by the Under Secretary for Research, Education, and Economics

5. In § 2.67, paragraphs (a)(11), (a)(12) and (a)(13) are removed. Paragraph (a)(14) is redesignated as paragraph (a)(11).

CHAPTER XXXVII—ECONOMIC RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 3700—ORGANIZATION AND FUNCTIONS

1. The authority citation continues to read as follows:

Authority: 5 U.S.C. 301 and 552, and 7 CFR 2.67.

§ 3700.3 [Amended]

2. Section 3700.3 paragraph (g) is removed.

Dated: July 19, 1999.

Dan Glickman,
Secretary of Agriculture.

Dated: June 21, 1999.

Keith Collins,
Chief Economist.

Dated: June 14, 1999.

I.M. Gonzalez,
Under Secretary for Research, Education, and Economics.

[FR Doc. 99-19015 Filed 7-27-99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 57

[Docket No. PY-99-003]

Rules of Practice Governing Proceedings Under the Egg Products Inspection Act

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Agricultural Marketing Service (AMS) is revising its regulations governing the mandatory shell egg surveillance program to add that the Administrator may enter into a stipulation, prior to the issuance of a complaint, with any person to resolve violation cases arising under the Egg Products Inspection Act (EPIA) or the regulations, without resort to formal disciplinary proceedings. In December 1998, regulations in 7 CFR part 59 administered by AMS were redesignated as a new part 57. AMS is amending 7 CFR part 57 to add regulations previously proposed to expedite the resolution of violations under the shell egg surveillance program.

EFFECTIVE DATE: August 27, 1999.

FOR FURTHER INFORMATION CONTACT: Douglas C. Bailey, Chief, Standardization Branch, 202/720-3506.

SUPPLEMENTARY INFORMATION: This rule has been determined to be not significant for purposes of Executive Order 12866, and therefore, has not been reviewed by the Office of Management and Budget (OMB). In addition, pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the AMS has considered the economic impact of this rule on small entities and has determined that its provisions would not have a significant economic impact on a substantial number of small entities.

The purpose of the RFA is to fit regulatory actions to the scale of