

## 7 CFR, Part 1, Subpart C

This final rule amends 7 CFR, part 1, subpart C, by adding a citation to the statutory authority for the subpart. This final rule also amends § 1.41 in 7 CFR, part 1, subpart C, to remove a gender-specific reference and to remove a provision that requires service of process to be made upon the General Counsel to enforce child support or alimony payments owed by employees of the Department. This provision is removed because the regulations related to service of legal process for the enforcement of child support and alimony owed by Department employees are set forth in 5 CFR, part 581.

## 7 CFR, Part 1b

This final rule amends the authority citation for 7 CFR, part 1b, to remove inaccurate references to the Federal Register.

Section 1b.1 contains inaccurate references to regulations and an inaccurate reference to the Council on Environmental Quality. This final rule corrects those inaccuracies.

Section 1b.2(a) describes the purposes of some of the Department's programs and the methods by which some of these programs are conducted. Section 1b.2(a) is unnecessary and has no effect and is therefore removed. In addition, this final rule makes minor nonsubstantive amendments to 7 CFR 1b.2 paragraphs (c), (d), and (e) for clarity; to remove inaccurate references to regulations, the Under Secretary, Natural Resources and Environment, and the Agricultural Council on Environmental Quality; and to remove surplusage.

Section 1b.3(c) is amended to correct a cross reference.

Section 1b.4 lists agencies that are excluded from the requirement to prepare procedures to implement the National Environmental Policy Act and categorically excluded from the preparation of environmental assessments and environmental impact statements unless the agency head determines that an action may have a significant environmental effect. Since § 1b.4 was published, the Department has been reorganized and some of the listed agencies no longer exist. This final rule corrects the list of Department agencies in § 1b.4 and makes minor nonsubstantive changes for clarity.

## Notice and Comment

This rule makes only minor nonsubstantive amendments to the regulations in order to update and correct incorrect references, remove

gender-specific references, remove unnecessary provisions, and clarify existing regulations. The rule will not have any effect on the public and no public participation is expected. Therefore, notice and public procedure with respect to this rule are unnecessary, and there is good cause under 5 U.S.C. 553 to make this rule effective without opportunity for public participation.

## Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The 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.

This final rule updates and corrects references to statutes, regulations, USDA agencies, and USDA officials; removes gender-specific references; removes unnecessary provisions; and makes minor nonsubstantive changes for clarity. This final rule will not have any economic impact.

Under these circumstances, the Secretary has determined that this action will not have a significant economic impact on a substantial number of small entities.

## Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all state and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

## Paperwork Reduction Act

This final rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

## List of Subjects

## 7 CFR Part 1

Administrative practice and procedure, Agriculture, Antitrust, Blind, Claims, Concessions, Cooperatives, Equal access to justice, Federal buildings and facilities, Freedom of information, Lawyers, Privacy.

## 7 CFR Part 1b

Environmental policy statements.

Accordingly, 7 CFR parts 1 and 1b are amended as follows:

**PART 1—ADMINISTRATIVE REGULATIONS**

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

Authority: 5 U.S.C. 301, unless otherwise noted.

**§ 1.26 [Amended]**

2–3. Section 1.26 is amended as follows:

a. In paragraph (a), by removing the words “The provisions of this section apply” and by adding the words “This section applies” in their place; and by removing the words “such provisions, or any part thereof” and by adding the words “this section, or any part of this section” in their place.

b. In paragraph (b)(2), by removing the word “he” and adding the words “the Secretary” in its place each time it appears; and by removing the word “him” and adding the words “the person” in its place.

c. In paragraph (b)(3), by removing the words “his employment he” and adding the words “employment with the Department the employee or former employee” in their place; and by removing the word “him” and adding the words “the employee or former employee” in its place.

d. By removing paragraph (c).

**§ 1.27 [Amended]**

4. Section 1.27 is revised to read as follows:

**§ 1.27 Rulemaking and other notice procedures.**

(a) This section shall apply to:  
(1) Notices of proposed rulemaking;  
(2) Interim final rules;  
(3) Advance notices of proposed rulemaking; and

(4) Any other published notice that solicits, or affords interested members of the public an opportunity to submit, written views with respect to any proposed action relating to any program administered in the Department regardless of the fact that the issuance of a rule may not be contemplated.

(b) Each notice identified in paragraph (a) of this section shall indicate the procedure to be followed with respect to the notice, unless the procedure is prescribed by statute or by published rule of the Department. Each notice shall contain a statement that advises the public of the policy regarding the availability of written submissions by indicating whether paragraph (c), (d), or (e) of this section is applicable to written submissions made pursuant to the notice.

(c) All written submissions made pursuant to the notice shall be made